HISTORY

OF THE

MUTINY AT SPITHEAD

AND

THE NORE;

WITH AN

ENQUIRY INTO ITS ORIGIN AND TREATMENT:

AND

SUGGESTIONS FOR THE PREVENTION OF FUTURE DISCONTENT
IN THE ROYAL NAVY.

LONDON:
PRINTED FOR THOMAS TEGG, 73, CHEAPSIDE.

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TO

SIR FRANCIS BURDETT, BART., M.P.,

&c. &c. &c.

SIR,

In the following pages I have had the unspeakable gratification of mentioning with well-deserved eulogy a name I have ever considered as belonging to one of the most chivalrous and courageous men of his time; and—although there may be found some points on which our opinions differ—I hope, therefore, you will forgive my inscribing to you this volume as a slight tribute to that undaunted love of justice and liberty which induced you to remain the fast friend of the unfortunate seamen at the Nore, when cowardice and corruption turned the host against them.

I have the honour to remain,

Sir,

Your most obedient servant,

THE AUTHOR.

ERRATA.

P. 169, *for* Marines . . . *read* Marine.
P. 233, — Sir Salusbury Devonport—Sir Salusbury Davenport.
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In a page which has been most questionably termed the brightest of British history, appears a dark and melancholy blot; shunned by all writers, and wronged by the few compelled to traverse over it, the claims of Truth and Justice at length subject to the examination of the historian, the Mutiny at Spithead and the Nore. The discipline of the British navy had been the growth of centuries: cemented alike by the influence of innumerable victories abroad, and by a continued series of triumphs over the severest trials of misgovernment at home, it yet received, in the year 1797, a succession of blows so severe as for a time to excite just fear lest the ruin of the service and the consequent destruction of the empire should ensue.

Founded at a period when slavery was universally tolerated, from liberty being, comparatively speaking, unknown, the first record we possess of what may fairly be termed a royal navy goes back

to the reign of the seventh Henry, who, in 1488, caused the Great Harry to be built and launched.

The arbitrary measures which at that remote period directed every department of the state, naturally extended to the maritime service, and while the brutal and irrational system of impressment formed the means of manning the navy, the allowances of pay and provisions were worthy of the system which provided the seamen to consume them.

Of all the anomalies that have proved a reproach to the British constitution and an inherent cause of gangrene and disorder, the pressgang appears to have been the most odious in its origin and the least excusable for its results. Under this remnant of feudal villanage the arm of indiscriminating violence was made to sweep up, for the noblest uses of the country, all who were so poor, so ignorant, so unfriended, or so vicious, as to be thrown at large upon the highways of the empire without the protection of those inconsistent immunities which arbitrarily acquit the wealthy from protecting their own possessions, to force this onerous task upon those who have nothing to protect.

In a community where reason had the slightest voice, or justice the least authority, it would naturally be imagined that those possessing nothing to make life cheerful, should at any rate be spared the cares which Providence has fixed as the alloy of prosperity.

In contradiction of every axiom of this equitable nature, the abject and the friendless were seized for no crime but their poverty and insignificance, and imprisoned in our men-of-war after no trial save the capricious will of an inebriated

master of the pressgang. Thus a number of outraged individuals were collected in our fleets. I they behaved well, fought the battles of their country, and drudged unrepiningly through the severe life of privations which alone the navy has to offer, they became valuable to their tyrants, and thus unwittingly riveted around their own necks, the chain of that servitude which was to gall them throughout life. On the other hand, should the natural feelings of manhood lead them to repine or rebel, should they shrink from imbruing their hands in the blood of those who had never offended them, in a war which no good principle might perhaps be able to extenuate, they were tried by superiors who had no feelings in common with themselves, but a life of prejudices enlisted against them, and either scourged into madness by the application of personal torture to their backs, or ignominiously put to death at the yard-arms of those ships which they had been forced to enter. When the pen of truth records the atrocities of such a system in the nineteenth century, which still witnesses its inactive existence, the mind unaccustomed to dwell upon such a complicated detail of villany, can at first scarcely credit the demonstration of such facts. But the pressgang was merely the first step to the barbarities which, in the Royal Navy of Great Britain, ignorance and helplessness have suffered on the one side, and cruelty and power have inflicted on the other. Our fleets having been manned by the exercise of a force so resistless and relentless, the unhappy wretches imprisoned on board were treated in every manner befitting felons condemned to so awful a punishment.

The murderer or the incendiary, condemned by the laws to expiate his offences on the gibbet, has his last hours soothed by the friendly presence of relatives, his prospects of futurity brightened by the consolation of religion, while on every point the tenderest commiseration is shown to him that the stern duties of Justice will permit.

But the unoffending being captured by armed violence for the naval service of the state was only allowed but at rare intervals, and in many cases never again, to land upon that shore with which everything worth estimating in life was connected. From the hour he became an involuntary seaman, he was too often cut off from all communication with friend or relative, and generally sent to an unhealthy climate. Here, predisposed to disease from the sudden transition, life was either lost or rendered merely a burden for the future; exposed to a duty harassing in the extreme, he was placed under the absolute disposal of a petty monarch, whose slightest caprice was indisputable law; yet under all these oppressive afflictions he possessed no appeal from any wrong, save to a code of jurisprudence so severe, that every line appears to have been traced in blood, and every other penalty is a shameful death.

This then was the moral condition of the impressed seamen: careful that a due degree of sympathy should be observed between the body and mind, those who had planned such a service, and such a discipline, and had provided the execrable, and, we may well add, the only means likely to supply it with victims, took care that their sustenance and their pay should be in admirable keeping with every other part of their condition.

The water at this time supplied to the British navy was, from the ill-constructed build of the ships, the large number of men, and the length of voyage or service, always doled out in a limited and most insufficient quantity to each man for the day. Short as was the quantity, the quality was still worse; carried to sea in a number of wooden casks, decomposition rapidly took place, and the liquid was reduced to the offensiveness of excrement, before it was served out for the offices of food. Revolting in odour, and swarming with putrescent life, the water was only kept in countenance by the decayed and unwholesome bread that accompanied it.

Baked by contractors, whose only virtue was, that they cheated a bad government, it went to sea in the form of biscuits, with the addition of every species of adulteration, and a hardness nearly approaching to that of flint. Transported from ship to ship, and from station to station, until it had frequently acquired several years of age, that which had been originally flour and water, now generally presented a mixture of rottenness and acari. To these were added beef and pork indurated by excess of salt. Supplied by contract, also, salted horse mingled in a large proportion with the beef and the Irish pork, and was, perhaps, the only genuine article of provision that could be found on board. But even here roguery and rapacity conspired to make the friendless sailor still a victim.

The allowance of meat to each man was by the regulation of the service asserted to be one pound a day. Often not one-half, and rarely above one-third, of this quantity was received. Originally

subjected to the conscience of the contractors, the weight was still further reduced by the salting; and well-authenticated cases are known in which during many years the meat so preserved and packed in casks, voyaged to and fro to different parts of the world, imbibing so much of the mineral in which it was pickled, that it became as susceptible of polish as the agate or cornelian, and wholly without any particle of that flavour, as well as nearly deprived of that nutriment, by which nature first marked it out for the sustenance of men.

Cheese of a quality equally objectionable and still less capable of preservation, and butter of the same nature, were added, rather to tantalise than to support the unfortunate being imprisoned to endure such treatment.

It must, however, be added, although the government was thus neglectful of all the rational portion of a working man's provision, there was one article of consumption, which as it most tended to impair the health, and to degrade the mind of the maritime helot, was very plentifully supplied to him—for it was of little value; this was the rum supplied by the British Colonies. Two gills or half a pint of ardent, new, and therefore pernicious, spirit were daily given to the seaman, that in this most animal indulgence he might forget the denial and bereavement of every delight and gratification that distinguishes the highest from the lowest of the creation. On one portion alone of the seamen's rations was it possible to bestow commendation; for breakfast the cocoa-berry was allowed, and though bestowed with too niggardly a hand, Heaven has kindly

enabled it to withstand a moderate probation of time, and rendered it sufficiently ready for man's use, to escape the contaminating interference of contractors, or the unblushing jobbing of a venal government. The latter, however, for fear that the British sailor should by any chance be able to exist to a fair longevity, or enjoy a moderate portion of comfort during the short span they had allowed to him, sent on board every man-of-war an officer, whose express duty it was, to show to how great an extent this cleverness and dexterity of cheating could be carried in a small way, by the impartial plunder both of the country and the seamen. It is a matter of supererogation to mention such an officer as the purser: appointed to a man-of-war, when his office as a supplier of unwholesome provisions must necessarily be hateful; where the trouble of constant supervision, checking, and accounting, must inevitably be great; he was allowed no salary beyond that which he could realise in saving, or to speak more correctly, pilfering the seaman's rations. Thus, by constant weighing, measuring, and harassing, he withdrew a large emolument* from the pittance which barely prolonged their existence.

It would be superfluous here to trace out the various periods at which each portion of this cruel system advanced to the iniquitous period of our history. The ignorance which had first permitted its institution continued to protect its enormities, until the gradual spread of enlightenment reached even the most neglected branch of the public service, through one of those channels

* In a line-of-battle ship, the office of purser was supposed to be worth 1000*l.* per annum.

most calculated to render it for ever despicable in the eyes of that state which existed alone by its protection.

Not content with the treatment we have described, the government commenced emptying the jails of all the most abandoned reprobates and irreclaimable characters that could be found in the country, and by sending them on board the fleet, at once rid themselves of all further trouble, provided food for the shot of the enemy, and by the numerical presence of a set of lawless villains, foolishly imagined they were adding to the courage of veterans already approved in numberless engagements.

By this scandalous proceeding, the seaman who had passed his life in the service of his country was reduced to a level with the wretch whose crimes had expelled him from its shores, the calling to which service was thus publicly and officially acknowledged as the worst punishment in the state, and while the men became disgusted with their governors, they were infected by their companions. Accustomed to a life of vagrancy and enjoyment, the criminals so drafted from the prisons, passed their time in harassing good officers by their outrage of all duty, and the making an excuse for tyrannical commanders to indulge in brutal and disgusting exhibitions of corporal punishment. Filled with regret in their own minds for all they had lost on shore, and accustomed, even as rogues in England, to find some show of justice due though to the guilty, they now atoned to themselves for the impossibility of revenge, by pointing out to the seamen the unnatural tyranny exercised over them, and the surety

of redress on the facts being made known to their countrymen. Thus tutored on the one side by iniquity, and goaded on the other by injustice, our surprise here naturally arises, not that the British seamen should have been driven to revolt, but that they should not have revolted long before.

After a life honourably spent in the service of his country, the Earl Howe, who had apparently accomplished the climax of his career in the victory of the memorable 1st of June, 1794, continued in command of the Channel fleet until the year 1797, when in the month of February illness confined him to the shore at Portsmouth, and he resigned his command to Lord Bridport.

CHAPTER II.

THE Channel fleet, under the command of Lord Bridport, returned to Spithead in March, after a short cruise, and lay there in daily expectation of orders to sail. Although it had been known in professional circles, and especially at the Admiralty, that symptoms of disaffection were manifested, that murmurs prevailed, and that the seamen were not altogether satisfied with the service, still nothing equivalent to insubordination was expected; and other matters, apparently more urgent, occupied the minds of government, to the exclusion of those practical grievances under which the service was labouring. Moreover, the expectation of the enemy's fleet putting out to sea, and the ardour of men upon the eve of engagement, were supposed to offer a sufficient check for the prevention of any serious demand for immediate redress.

The sailors had adopted the questionable expedient of sending anonymous letters and Round Robins to Lord Howe, with an exposition of their wrongs, couched in rough and homely remonstrances; relying upon his lordship's popular character, and affection for that fleet, which he had so often led to victory. They knew very well, that complaints forwarded through their respective captains, would either not reach the Admiralty at

all, or if they should be so fortunate as to be placed before that board, the chances were that the subject-matter would be referred back again to the officers, whose subsequent report would, in all probability, mention the foundation of their discontent to be slight, and the chief movers in the business to be troublesome and disorderly reprobates. At the same time, this would be the upshot of the affair, that the ringleaders would be marked men, and be subjected to acts of petty tyranny and annoyance. In this dilemma, the articles of war pointed out, "that if any person in the fleet shall find cause of complaint of the unwholesomeness of the victual, or other just grounds, he shall quietly make the same known to his captain, or the commander-in-chief, who shall cause complaint to be presently remedied." Upon a careful review of their situation, and, as they supposed, in accordance with the spirit of the articles, they made known their grievances to Lord Howe, in a manner which should secure their individual safety, and give full force to the expression of their grievances.

But the noble admiral, insensible to the mischiefs of the system upon which naval affairs were conducted, or, perhaps, regarding with contempt the informal measures adopted to shake his confidence in arrangements, sanctioned by time and by prejudice, and also made inveterate by habit, at the first quietly laid aside the statements he was accustomed to receive. Besides, as they were all written in the same hand, and in the same style, he might justly conceive they emanated from some one dissatisfied individual, without faithfully representing the general sentiments of the fleet. However, as the frequency of such communica-

tions forced him to ponder upon their contents, and as the uneasiness on board the fleet assumed daily a more decided character, he arrived at the determination that something ought to be done to conciliate the men, by an alteration in certain points, where the burden lay most heavily; or, at any rate, that his duty dictated the necessity of submitting to the Admiralty the disturbed state of the fleet, the causes existing for such agitation, and the remedy for its suppression. He, therefore, inquired of Sir H. Seymour, the commanding officer at Portsmouth, whether disaffection prevailed among the seamen to any extent; and if so, to what causes it might be reasonably attributed. He received for answer, that the whole affair was the insignificant attempt of a few mischievous persons to bring scandal upon the government. This reply, however, failed in allaying the serious apprehensions entertained by his lordship; but he does not appear to have succeeded in making the Admiralty comprehend the extent of the danger; and while the consideration of the subject was postponed for less critical times, neglect and indifference exasperated the sailors to such a degree, that even their respect and enthusiasm for the gallant commander-in-chief cooled down into hatred; and a dogged opinion gradually prevailed, that he was the author and the main support of their intolerable hardships.

Preparations were therefore made with great secrecy, prudence and caution, to demonstrate, by a striking exhibition of unanimity in word and action, that nothing would satisfy the fleet short of a prompt admission and removal of their two great grievances, namely, small amount of pay,

and unequal distribution of prize-money. Accordingly, on Saturday, April 15, 1797, when Lord Bridport made the signal for the fleet to weigh anchor, with the intention of dropping down to St. Helen's, the Queen Charlotte, Lord Howe's flagship, a man-of-war notorious for her laxity of discipline and turbulence, manned her fore shrouds, and gave three cheers, an example which was immediately followed by the rest of the fleet. On the next day, Easter-Sunday, the *passive* insurrection, as it was called, took an active form. The spirit of disobedience expanded and reached an alarming height. A deputation of four seamen from each ship assembled on board the Queen Charlotte, to take counsel, and to determine upon what steps were most suitable to the emergency, and best adapted for securing the object of their movement. A captain from among themselves was appointed on the forecastle of each ship to keep watch and to preserve regularity and subordination to the committee. During divine service, parties of seamen rowed in public procession through the fleet in a line of boats; and the Romney man-of-war, about to sail as convoy to the outward-bound fleet for the Newfoundland fishery, was peremptorily ordered not to weigh anchor until the effect of these vigorous measures should have been ascertained.

The mutineers now presented to Lord Bridport, Sir Alan Gardner, the Port-admiral, together with other officers of rank at Portsmouth, a petition, signed by a large majority of the fleet, setting forth, that while the military, the marines, and other public bodies, had at various times received marks of the bounty of government,

by allowances of bread, money, and other perquisites, the pay of the seamen had not been augmented, although the distresses of the times fell equally hard upon them as upon other parts of the community. They therefore prayed for an increase of allowance; and expressed their firm resolve not to put to sea again until the prayer of their petition should have been answered, unless in the mean while the enemy's fleet might happen to sail out of harbour; in that case, they promised to fight the battles of their country, defeat her foes, return again into port, and renew their complaints.

Lord Bridport despatched Rear-Admiral Pole to London, to lay before the Lords Commissioners an account of what had transpired, together with the demands of the fleet. Although no precaution had been taken by the government before the evil burst upon them, notwithstanding the evident tendency of the fleet towards mutiny, yet, when the blow had been stricken, all nerve and courage seemed to fail before an earnest desire to repair at any risk, and at any concession, the disastrous effects of their own foolish and supine policy. A cabinet council was immediately summoned, the different claims set forth in the petition underwent a serious discussion, and it was agreed for Lord Spencer, Lord Arden, Admiral Young, and Mr. Marsden to repair to Portsmouth that very evening, with the expectation of soothing the irritated sailors, and of restoring harmony by a timely conference. When the information which government had received found its way to the public, alarm and consternation pervaded all ranks and all parties. An earthquake would have shaken London with no greater degree of preparation for the event; and the con-

vulsion in the physical world, caused by such a calamity, would hardly have exceeded the trembling sensation of imminent danger with which the outbreak at Spithead affected the moral and political structure of society. But when the surprise of the moment had ceased, and men began to weigh the causes and probable results of this disastrous intelligence, party spirit undertook to interpret the views of the sailors, and to attack or defend the ministers, according to its particular bias. The assailants of government maintained that the system of procrastination and mismanagement, visible in every branch of the naval and military services, together with an accumulation of arrears undischarged, had long ago sown seeds of disgust in the minds both of the privates and their officers, of which the fruit and the harvest were now to be reaped and gathered. They alleged, moreover, with a view to exaggerate the formidable aspect of affairs, that the fleet was under sailing orders, but refused to meet the enemy. Both these statements were met with a flat denial by the adherents of Mr. Pitt, and the indignant retort was hazarded, that a republican leaven had been secretly introduced by designing and traitorous politicians into the vitals of the navy. But neither could this allegation be supported; for it was discovered, upon calm inquiry, that the defects in discipline, and authority, and, in fact, the unsound principles upon which the navy was managed, were sufficient of themselves to account for the mutiny, without any elaborate production of more distant causes. When it became generally known that the Lords of the Admiralty had journeyed to Portsmouth, for the purpose of nego-

tiating with the disaffected, a note of scornful derision hailed the undertaking. It was made a matter of sarcasm that a *Representative government* was actually established on board the British fleet, and that a commission of Admiralty setting out to treat with a *convention of delegates*, was an æra in the annals of our navy, which no man who madly gave his suffrage for the present war of disorganisation ever expected to see. No less sagacious was the affirmation, that "a decent seasonable attention to the remonstrances of the sailors might have saved England from a calamity which no man could contemplate without dismay."

Such were the opinions which, rapidly spreading through the country, became the subject of discussion at the corner of every street, in every place of public resort, and by every fire-side; for the untarnished loyalty of the British navy, supported by a long series of splendid victories, had been always the theme dearest to an Englishman's pride. When, therefore, in a moment of doubtful peril, from a bold and by no means contemptible enemy, it was announced that the navy was not any longer to be depended upon with unshaken confidence, no man felt the shores of his native country secure from invasion, nor his own domestic hearth safe from attack.

On board the fleet, remonstrances, persuasions, and even threats were used in vain. The cool determination of the sailors, not to relax one iota of their demands, remained unassailable. They carefully abstained from acts of rudeness and violence towards their officers, while, at the same time, the slightest breach of orders among themselves was punished with unrelenting severity. Four, or as some say,

two delegates, selected from each ship, met daily in the state-cabin of the Queen Charlotte. By their orders the marines were disarmed, and the magazines seized. The boats also were taken possession of by the committee, and made to communicate from ship to ship, at their pleasure. The officers were not allowed to go on shore, with the exception of some few who had rendered themselves obnoxious to their crews by harsh behaviour: these were sent away; but even the slop-sellers were detained, with permission, however, for their boats to come alongside with goods. A yard-rope was rove at every fore-yard arm, as a gentle hint of the fate which might be expected by any person who should be so hardy as to break through the regulations. All the people were sworn to be true to the cause. So strict was the discipline, that if any man became intoxicated he was punished severely. One sailor, belonging to La Pompée, for bringing a pint of spirits on board, was tied up and flogged unmercifully with a thief-cat. If symptoms of unwillingness to join the confederacy were observed on board any particular ship, she was made to cast anchor between two stanch adherents, with a threat of total destruction upon the least sign of disobedience. The crew of the Royal William having omitted to join in the general cheering which took place at eight o'clock every morning, with a repetition at sunset, was warned that she would be fired into, should her crew still persist in a refusal to obey orders. A favourite amusement with the sailors was the ducking of offenders, for light transgressions: the unfortunate malefactor was lowered from the main-yard into the water, and hoisted up

again two or three times, until he had given satisfaction for his sins. It must be owned, this summary and novel sentence, although more ludicrous, was yet more humane than lacerating a man's back, until nature failed, and he swooned from exhaustion and loss of blood: new authorities generally discover unusual methods of enforcing obedience to the executive. In the mean time the admiral retained command of the fleet, with one restriction only—that he should not put to sea until the demands of the seamen were conceded. Respect to the officers was strictly enforced, and any breach of discipline in the ordinary routine of duty rigorously punished. The sick and convalescent seamen also, in the Haslar hospital, hoisted a flag composed of handkerchiefs tacked together, and cheered, morning and evening, with the rest of the fleet: this fact would show the unanimity prevailing through the whole naval body, upon the subject of their grievances, and would prove that every man who had tasted the bitterness of the system, was prepared, whether in sickness or in health, to take a share in the task of relieving the service from a pressure which was felt in common by all.

Immediately upon the arrival of the Lords of the Admiralty at Portsmouth, a Board was held, at which Lord Bridport, Sir Peter Parker, and Admirals Gardner, Colpoys, and Pole assisted. Negotiations immediately commenced; the correspondence between the Board at Portsmouth and the deputation of seamen on board the Charlotte, was carried on through the superior officers of the fleet, who attended the Lords, and delivered the result of their deliberations to the seamen.

Difficulties in the way of reconciliation existed on either side; the Admiralty insisted upon a withdrawal of certain points which they felt ought not to be conceded; on the other hand, the fleet refused to narrow their pretensions. The pay of an able-bodied seaman was $9\frac{3}{4}d.$ per diem; or 22*s.* 9*d.* per lunar month; this sum they requested might be increased to 30*s.* per calendar month, or 1*s.* per diem; the pay to be made regularly every three months in cash and not in paper. With respect to prize-money, the demand was, that one-third of all prizes taken should be distributed among the men; that provisions, in future, should be weighed out at sixteen ounces to the pound, instead of twelve; that a control should be placed upon the power of officers in imposing arbitrary punishment for petty offences; that an asylum or pension should be provided for persons wounded in the service; and that a greater degree of liberty to go on shore should be granted than had been hitherto permitted by the rules of the service.

If, in the course of recording the events of past times, which are only valuable for the lessons they afford for future application, it is the unpleasant duty of the historian occasionally to reprobate folly and expose injustice, some recompense is at least reserved to him in awarding to high and honourable conduct that distinction and honour which is not only its due, but which, alas! has been too often the only reward it has received. Such a character at this period presents itself for our admiration. Placed in the most responsible and delicate situation as First Lord of the Admiralty, it is impossible that any statesman of the

time could have brought to the discharge of his heavy duties, qualities more likely to win the confidence of the seamen, and gain the approbation of the country, than Lord Spencer. Of a mild and amiable disposition, none could be more accessible to reason, or more ready to make allowance for the errors of prejudice or passions; possessed of a most noble fortune, not only was office of no moment to him as a means of wealth, but his purse was ever ready to promote the benefit of the public service or to alleviate the pressure of private misfortune; with a love of letters and those arts which at once soften the disposition and invigorate the mind, he was thus induced to seek conviction rather from what is right than from what is pleasing. His manners were gentle and attractive, his politics were liberal in their tone, and he commanded no slight share of ability to conduct a difficult business to a happy termination. Thus qualified, his lordship now devoted himself to hearing the complaints of the seamen, and investigating, to the fullest extent, what justice might be contained in their demand, and what compliance might be accorded to them. These claims were not all preferred at once, but *seriatim*. When Lord Spencer had promised to lay before the king their desire for an increase of amount to their pay, and of weight to their provisions, the deputation demurred and hung back from any promise of return to their duty, before a distinct recognition of the justice of their claims should be admitted, and a guarantee from the king obtained, that the proposition should be forthwith carried into effect; and then they proceeded to introduce the remaining topics for

deliberation. The Admiralty were embarrassed beyond measure; the public had seen them go down to Portsmouth with an exaggerated idea of the importance attached to their official appearance, and had vainly imagined, that no sooner were they known to be in the neighbourhood of the Mutiny than all complaints would be hushed and every tongue silenced. They had also believed that any offer made by them, and any advance towards conciliation, would be eagerly embraced upon the part of the fleet. While they styled the claims insisted upon as extravagant and dangerous pretensions, they gave themselves credit for extreme liberality, and professed a disposition to accede to anything which might be just and reasonable, or compatible with the welfare of the service. But the sailors, on the other hand, reasoned in a different way, and arrived at different conclusions. They now felt their power over the country and over the government. The first symptom of passive resistance had given a shock to the nation, and convulsed the Admiralty to such a degree, that nothing short of their presence at the very seat of the catastrophe was supposed available to reduce the disorder and to appease the awakening passions of rebellion. The game, therefore, they fairly reasoned, was in their own hands; now was the time to unfold their grievances to the fullest extent, and to demand a remission of every hardship which could be brought into the form of a general complaint; and upon this view of the subject, their proceedings were conducted with firmness, respect, and a cool determination to obtain the end desired.

sioners; perceiving the aspect of the negotiations to be less promising than they had expected, determined upon paying a visit to the fleet, with the hope of influencing the seamen by personal authority, argument, and remonstrance. When they had arrived on board the Royal George, Lord Bridport's ship, the noble Earl expostulated with the delegates for placing the country in a situation of extreme danger, by the course they were pursuing; he also assured them that their request for an increase of pay should be granted; and, moreover, that the grievances of which they complained should receive the most anxious consideration of the Admiralty and government; but he relied upon every man throughout the fleet instantly resuming the several duties of his respective station. Admiral Gardner, an impetuous, but zealous officer, is reported, upon this occasion, to have expressed his sense of the proceedings to the crew of the Royal George with more sincerity than discretion. He went on the forecastle, and vehemently accused the sailors of being "skulking fellows, who knew the French were ready for sea, and yet were afraid of meeting them; that their reasons for disobedience were mere pretences; their conduct sheer hypocrisy; for that cowardice, and cowardice alone, had given birth to the mutiny." Such bold and unmeasured language, touching the feelings of the crew in the tenderest point, excited a tumult of rage and violence, in which the gallant admiral was nearly thrown overboard; extricating himself, however, from the crowd, he is said to have jumped upon the hammock-nettings of the ship, and placing his neck within the noose of the yard rope near him,

cried out to the men, as they were advancing with menaces towards him, "If you will return to your duty, you may hang me at the yard-arm." This sudden and novel exploit turned the tide in favour of the admiral, who was generally popular in the service, although the warmth of his feelings had, in this instance, betrayed him beyond the bounds of prudence; he was, therefore, cheered by the retreating crew, as he once more resumed his situation upon the forecastle.

Still the Lords Commissioners found a respectful opposition to every attempt at conciliation, short of a full compliance with the demands already set forth; a personal conference had effected nothing more than previous negotiations, except perhaps to render the resistance more obstinate, just in proportion as the embarrassment of the Admiralty became more visible.

Again the old report was revived, that the men were the dupes of designing political agents; and that upon the supposition of treason alone could the honest character of the British sailor have been lowered to such a depth of degradation. The language of the opposition newspapers was contrasted with the doings at Spithead; and from their presumed affinity it was argued, "the government is to be overthrown by the disorganization of the fleet." In fact, the public were at a loss to understand the spirit of determination which seemed all of a sudden to inspire the seamen, and to make them doggedly indifferent either to the honour or the safety of the country, except upon their own terms; and therefore it was generally, although foolishly inferred, that the intrigues of the Jacobins—not the real pressure of real and

intolerable wrongs—had knit together this formidable confederacy. Many favourable symptoms existed, in the midst of this most serious disorder, which might have assured any reasonable mind that the discontent and its causes were confined to the actual state of the service. For instance, in the very heat and excitement of the negotiations, the Romney was ordered to put to sea, the signal having been made that the convoy was under sail. The crew earnestly desired permission to wait the result; but the deputation informed them, "the country requires your services; you must, therefore, weigh anchor immediately, and drop down to St. Helen's." These orders were cheerfully obeyed; and the Romney sailed with her convoy for its destination, the Newfoundland fishery. Nevertheless, nothing satisfactory was accomplished; the deputation was prevailed upon to withdraw the claim for an equal distribution of the prize-money; but, beyond that, all other points remained unadjusted.

The following is a copy of a petition which the delegates drew up for presentation to the House of Commons, but which was considered to be, and was published as, a manifesto to the country:—

To the Right Honourable and the Honourable Knights, Citizens, and Burgesses, in Parliament assembled; the Humble Petition of the Seamen and Marines on board his Majesty's Ships, in behalf of themselves,

HUMBLY SHOWETH,

THAT your petitioners, relying on the candour and justice of your honourable House, make bold to lay their grievances before you, hoping that

redress, as far as your wisdom shall deem necessary. We beg leave to remind your august assembly, that the act of parliament, passed in the reign of Charles the Second,—wherein the wages of all seamen serving on board his Majesty's fleet was settled,—passed at a time when the necessaries of life, and slops of every denomination, were at least thirty per cent. cheaper than at the present time, which enabled seamen and marines to provide better for their families than we can do now with one-half advance. We therefore request your honourable House will be so kind as to revise the act before mentioned, and make such amendments therein as will enable your petitioners and their families to live in the same comfortable manner as seamen and marines did at that time. Your petitioners, with all humility, laid their grievances before the honourable Earl Howe, and flattered ourselves with the hopes that his lordship would have been an advocate for us, as we have been repeatedly under his command, and made the British flag ride triumphantly over that of our enemies. But, to our great surprise, we find ourselves unprotected by him, who has seen so many instances of our intrepidity in carrying the British flag into every port of the seas with victory and success.

We profess ourselves as loyal to our sovereign, and zealous in the defence of our country, as the army or militia can be, and esteem ourselves equally entitled to his Majesty's munificence; therefore, with jealousy, we behold their pay augmented, and their out-pensions of Chelsea College increased to thirteen pounds per annum, while we remain neglected, and the out-pen-

sioners of Greenwich have only seven pounds per annum.

We, your petitioners, therefore, humbly implore that you will take these matters into consideration, and with your accustomed goodness and liberality comply with the prayer of this petition, and your petitioners, as in duty bound, will ever pray.

We, the delegates of the fleet, hereunto sign our names for the ships' companies:—

Royal George.	Valentine Joyce.	John Morris.
Queen Charlotte.	Patrick Glynn.	John Udleston.
Royal Sovereign.	Joseph Green.	John Richardson.
London.	Alexander Harding.	William Ruly.
Glory.	Patrick Dugan.	John Bethell.
Duke.	Michael Adams.	William Anderson.
Mars.	Thomas Allen.	James Blithe.
Marlborough.	John Vassia.	William Senator.
Ramillies.	Charles Berry.	George Clear.
Robust.	David Wilson.	John Scrivener.
L'Impetueux.	John Witna.	William Porter.
Defence.	George Galway.	James Barerick.
Terrible.	Mark Turner.	George Salked.
La Pompée.	William Potts.	James Melvin.
Minotaur.	Dennis Lawley.	George Crosland.
Defiance.	John Saunders.	John Husband.

On the same day, and bearing the same date, the following remonstrance or petition, to the Lords Commissioners of the Admiralty, was published:—

To the Right Honourable the Lords Commissioners of the Admiralty.

My Lords,

We, the seamen of his Majesty's Navy, take the liberty of addressing your Lordships in an humble Petition, showing the many hardships and

years, and which we hope your lordships will redress as soon as possible. We flatter ourselves that your lordships, together with the nation in general, will acknowledge our worth and good services, both in the American war as well as the present, for which good service your lordships' petitioners do unanimously agree in opinion, that their worth to the nation, and laborious industry in defence of their country, deserve some better encouragement than we meet with at present, or from any we have experienced. We, your petitioners, do not boast of our good services for any other purpose than that of putting you and the nation in mind of the respect due to us; nor do we ever intend to deviate from our former character; so far from anything of that kind, or that an English man or men should turn their coats, we likewise agree in opinion, that we should suffer double the hardships we have hitherto experienced, before we would suffer the crown of England to be in the least imposed upon by that of any other power in the world; we, therefore, beg leave to inform your lordships of the grievances which we at present labour under.

We, your humble petitioners, relying that your lordships will take into early consideration the grievances of which we complain, and do not in the least doubt but your lordships will comply with our desires, which are every way reasonable.

The first grievance we have to complain of is, that our wages are too low, and ought to be raised, that we might be the better able to support our wives and families, in a manner comfortable, and whom we are in duty bound to support as far as

looked into by your Lordships, and the honourable House of Commons in Parliament assembled.

We, your petitioners, beg that your lordships will take into consideration the grievances of which we complain, and now lay before you.

First, That our provisions be raised to the weight of sixteen ounces to the pound, and of a better quality; and that our measures may be the same as those used in the commercial trade of this country.

Secondly, That your petitioners request your honours will be pleased to observe, that there should be no flour served while we are in harbour, in any port whatever, under the command of the British flag; and also, that there might be granted a sufficient quantity of vegetables of such kind as may be the most plentiful in the ports to which we go; which we grievously complain and lay under the want of.

Thirdly, That your lordships will be pleased seriously to look into the state of the sick on board his Majesty's ships, that they may be better attended to, and that they may have the use of such necessaries as are allowed for them in time of sickness; and that these necessaries be not on any account embezzled.

Fourthly, That your lordships will be so kind as to look into this affair, which is nowise unreasonable; and that we may be looked upon as a number of men standing in defence of our country; and that we may in somewise have grant and opportunity to taste the sweets of liberty on shore, when in any harbour, and we have completed the duty of our ship, after our return from sea; and

shall be a boundary limited, and those trespassing any farther, without a written order from the commanding officer, shall be punished according to the rules of the navy; which is a natural request, and congenial to the heart of man, and certainly to us, that you make the boast of being the guardians of the land.

Fifthly, That if any man is wounded in action, his pay be continued until he is cured and discharged; and if any ship has any real grievances to complain of, we hope your lordships will readily redress them, as far as in your power, to prevent any disturbances.

It is also unanimously agreed by the fleet, that from this day, no grievances shall be received, in order to convince the nation at large, that we know when to cease to ask, as well as to begin; and that we ask nothing but what is moderate, and may be granted without detriment to the nation, or injury to the service.

Given on Board the Queen Charlotte, by the Delegates of the Fleet, the 18th day of April, 1797.

From a perusal of the two documents above given, many considerations will arise. First of all, every one must be struck with the moderation of sentiment, the respectful language, and the forcible expression in both compositions; from which the direct inference would be, that persons of education, rank, and abilities, superior to the general class of seamen, had framed the addresses. Besides, the written manifestos were in harmony with the system and plans adopted by the mutineers to

stance gave support to the belief that operations were directed by other heads than those of the seamen; a rumour, therefore, that paid traitors and political incendiaries had been introduced into the service, purposely to excite the passions, and poison the minds of the seamen, obtained extensive circulation and ready credit in the kingdom. But this supposition was not sustained by evidence, either at this early period, or at a more advanced state of the mutiny; for as we shall have occasion frequently to show, the stanch believers in the immaculate loyalty of the fleet, were at no time in a position to relieve their trepidation by bringing forward any substantive fact, or by connecting the proceedings at Spithead and the Nore, with Jacobin clubs, or with societies disaffected towards Mr. Pitt and his administration. Certain it is, however, that men of good education and ruined fortunes, dissipated characters, and spirits intolerant of repose in those stirring times, had sought refuge in the navy from importunate creditors and embarrassed circumstances. The large bounties offered to persons who might be induced to enter the service; attracted many, born in a moderate station of life. Attorneys, disqualified by unprofessional practices, excisemen cashiered for dereliction of duty, clerks under suspicion of embezzlement, men of desperate reputation, and criminals escaping justice, found their way on board his Majesty's fleet, and infused a secret leaven of discontent into the ranks of the seamen, at variance with their rough, honest, and genuine dispositions. Such men were likely to feel more acutely hardships and grievances, to which they were not habituated; superiority of intellect would place them at the

head of any movement, and would ensure for the conduct of affairs, firmness of purpose, acuteness, and the use of means proportioned to the end. In comparison with the bulk of regularly-bred seamen the number of such persons was small, but sufficient to fan and maintain that flame of discontent, of which the embers had been long smouldering under mismanagement and neglect.

The grievances themselves were of such a nature as ought never to have been permitted to exist in any well-regulated department of the public service; and their reasonableness was at once admitted, when presented in a form and in language which could not be slighted without danger. A sufficient allowance of good provisions, a plentiful supply of vegetables; proper attention to the sick; the prevention of embezzlement and shameless jobbing, under the pretence of perquisites; an increase of pay, after the same scale as that enjoyed by the land-forces; and a facility of communication with friends and relatives at home. These points could hardly be thought strained and vexatious complaints; nor indeed could they be overlooked by a wise administration, without impairing the efficacy of the navy.

The charge against Lord Howe, of indifference to their sufferings, and the pointed manner in which the deputies arraigned his lordship's character for betraying their cause, in the petition to the Commons, excited universal attention, and provoked the lively comments of the opposition to Mr. Pitt's government. It was affirmed that the noble earl, far from being unmindful of the petition

importance, had waited personally upon Mr. Pitt, urged the propriety of taking some steps towards granting the relief desired, and at the same time warned him of the consequences which might ensue from a refusal of the prayer. More than this, also, that he presented that very petition to one of the Lords Commissioners of the Admiralty, with a strong recommendation to the Board to take it into their immediate consideration. From these loose and inaccurate data it was argued, that the censure which the irritated and disappointed seamen had passed upon the character of their old and gallant admiral ought to be transferred from him to his Majesty's ministers, who, with a consistent folly and stupidity approaching to madness, entirely neglected the prayer of a body of men on whom depended the safety, the hopes, and the very being of the country. What do they deserve—it was indignantly demanded—who, after having been seriously warned of impending dangers, took no measures of prevention, until they were aroused from their stupor, by a voice which unstrung the firmest nerves, and made the blood of every thinking man run cold? What ought to be the punishment of those, who, at the moment when they were calling upon the country to arm, at the peril of being subjugated by an invading enemy, insanely demolished those bulwarks which were its main defence? What respect can that government claim, which gives to threats what it withholds from prayer, and which listens to the dictates of fear rather than of policy? Yet these are the ministers who are presumptuous enough to

and tempests which threaten every moment to throw her, an irrecoverable wreck, upon the beach!

It is undeniable that these inferences were fairly drawn from the matter of general report, and that this castigation was richly earned, although the ebullition might be regarded by the politicians of the day as the mere spleen and vexation of a party in the minority. We cannot, however, forget the duty as well as the difficulty of reforming a system, even though it were the growth of time, and indurated into the service by habit, until its immensity and pressure were considered subjects of trivial importance, to be entertained, perhaps, with a view to revision and correction, at leisure, in seasons of greater security and repose. The strong position, however, against the government, was the avidity with which, when pressed by menace and resistance, they snatched at every chance of arrangement, from selfishness rather than principle, and with a very slight consideration for their respectability and honour.

After much deliberation and careful investigation of the several alleged grievances, contained in the petition addressed to the Lords of the Admiralty by the delegates, on behalf of the fleet, the Board delivered the result of their council to Lord Bridport, to be communicated by him to the delegates. The concession was limited to the two principal demands, namely, an increase of pay, and a provision for seamen wounded in action, until they should be rewarded with a pension or be received into Greenwich Hospital.

Without so much as mentioning or referring to

their Lordships fondly hoped the sop thus judiciously cast to Cerberus might allay irritation, compose all quarrels, silence all outcry, and finally induce the seamen to weigh anchor, and to give a substantial proof of their loyalty and reconciliation, by venturing forth in search of the enemy. But the delegates had no intention of permitting the men to return to their duty with anything less than an ample and satisfactory conclusion to all their differences. Besides, they objected to a new distinction between ordinary seamen and landmen, protesting that two ranks alone existed in the navy,—able and ordinary. They further insisted upon the marines sharing with themselves the advantages of all increase to their wages; and suggested that the pensions of Greenwich Hospital should be raised to 10*l.*, with the imposition of an additional monthly contribution from the sailors to maintain the expense; they were desirous also of admitting the men employed by the East India company to a participation in the benefits arising from the Greenwich pensions; and strongly reiterated their just complaints upon the subject of provisions and liquor; winding up with an express determination not to lift anchor until these questions had been settled according to their wishes.

The Admiralty proposition was submitted by Lord Bridport to the delegates, on Tuesday evening, the 18th, and on Wednesday they sent in their reply. We subjoin the documents themselves:—

Answer of the Commissioners for Executing the Office of Lord High Admiral of Great Britain and Ireland, &c. to the above Petitions.

Having taken into consideration the petitions transmitted by your Lordship from the crews of his Majesty's ships under your command, and having the strongest desire to attend to all the complaints of the seamen of his Majesty's navy, and to grant them every just and reasonable redress, and having considered the difference of the price of the necessaries of life at this and at that period when the pay of seamen was established, we do hereby require and direct your lordship to take the speediest method of communicating to the fleet that we have resolved to recommend it to his Majesty, to propose to Parliament to increase the wages of seamen in his Majesty's navy in the following proportions: namely—

To add four shillings per month to the wages of petty officers and able seamen; three shillings per month to the wages of ordinary seamen; and two shillings per month to the wages of landsmen:

That we have resolved that seamen wounded in action shall be continued in pay until their wounds are healed, or until, being declared unserviceable, they shall receive a pension, or be received into the royal hospital at Greenwich; and that having perfect confidence in the zeal, loyalty, and courage of all the seamen in the fleet, so generally expressed in their petition, and in their earnest desire of serving their country with that spirit which always so eminently dis-

tinguished British seamen, we have come to this resolution the more readily, that the seamen may have, as early as possible, an opportunity of showing their good dispositions, by returning to their duty, as it may be necessary that the fleet should speedily put to sea to meet the enemy of the country.

Given under our hands at Portsmouth, 18th April, 1797. SPENCER.—ARDEN.—W. YOUNG.

To the Right Hon. Lord Bridport.

The Seamen's Reply.

We received your lordships' answer to our petition; and in order to convince your lordships and the nation in general of our moderation, beg leave to offer the following remarks to your consideration, viz.—That there never has existed but two orders of men in the navy, able and ordinary, therefore the distinction between ordinary and landsmen is totally new: we therefore humbly propose to your lordships, that the old regulations be adhered to; that the wages of able seamen be raised to one shilling per day, and that of petty officers and the ordinary in the usual proportions; and as a further proof of our moderation, and that we are actuated by a true spirit of benevolence towards our brethren, the marines, who are not noticed in your lordships' answer, we humbly propose that their pay be augmented, while serving on board, in the same proportion as ordinary seamen. This we hope and trust will be a convincing proof to your lordships that we are not actuated by a spirit of contradiction, but that we earnestly wish to put a speedy end to the

lordships the pensions from Greenwich college, which we earnestly wish to be raised to ten pounds per annum; and in order to maintain which, we humbly propose to your lordships, that every seaman employed in the merchant service, instead of sixpence per month, which he now pays, shall hereafter pay one shilling per month, which we trust will raise a fund fully adequate to the purpose; and as this in time of peace must be paid by your petitioners, we trust it will give a convincing proof of our disinterestedness and moderation. We would also recommend that this regulation be extended to the seamen in the service of the East India Company, as we know by experience that there are few sailors employed by them but who have been in the royal navy; and we have seen them with our own eyes, after sickness or other accident has disabled them, without any hope of relief or support but from their former services in the navy. As to provisions: that they be augmented to sixteen ounces to the pound of bread and meat, cheese, butter, and liquor in proportion, of a better quality, and a sufficient quantity of vegetables; and that no flour be served with fresh beef. And we further beg leave to inform your lordships, that it is unanimously agreed, that until the grievances before stated are redressed, and an act of indemnity passed, we are determined not to lift an anchor; and the grievances of particular ships must be redressed. Given under our hands, the

CHAPTER III.

THE Government now began to reap the harvest of their past supineness, and of their present imbecile and precipitate haste. Want of firmness and moral courage was never more transparent in its disastrous consequences. The first step the Admiralty took, in leaving London and hurrying down to Portsmouth, was said to have betrayed a weakness, of which the more sagacious delegates were by no means slow in perceiving the advantage. It certainly was humiliating to the heads of a chief department in the state to put themselves in personal contact with a body of men, who were trampling upon law and order. What public confidence could be any longer reposed in the executive, when on a sudden the confession was eagerly made, with a haste thoroughly indecent, that hitherto justice had been withholden, and was only to be extorted by a very near approach to open rebellion? Also, appearances would go far to prove, that the disposition of the Government was to refrain from conceding a greater share of redress than they were compelled by force to grant; while at the same time they were willing to yield everything, provided only Great Britain might be seen once more triumphantly afloat sweeping the Channel with her

invincible fleet. Statesmen, who enter upon the policy of a temporary expediency, in matters of great and public moment, descend a gulf stream, in which neither art, nor skill, nor wisdom, nor a sense of indiscretion, avail to save them from imminent danger, if not from signal destruction.

But, while the board is deliberating upon the extent of its concessions, we may take advantage of the leisure given us, to lay before our readers an instance of the spirited manner in which the delegates undertook their own vindication from charges of treason, infidelity, and treachery to their country, such as abounded in the publications of the day. A squib, written in the name and under the character of Admiral Kempenfeldt, appeared in the Sun newspaper, severely criticising the behaviour of the seamen, and questioning the purity of their motives. The following reply, composed with no mean smartness and ability, was immediately published; it attracted notice, by the sort of assurance which it gave, that the sailors were actuated by proper feelings, as well as for the indication it afforded, that men of fair talents were managing the perilous enterprise—

FROM THE LIVING TO THE DEAD.

"Art thou a spirit of earth or goblin damn'd?"—

Sir,—In the Sun, of the 18th instant, we have seen your address, and which greatly surprised us, wherein we are accused of those crimes, which

our wants and wishes in an official and respectful manner.

Therefore we, his Majesty's most loyal and dutiful subjects, wish to make known to the world that we have done so.

We, as the subjects of a loyal country, presented our petitions to that honourable earl, who wore the laurels of the glorious 1st of June, and who was in the hearts of British seamen represented as their friend; but we are sorry to say, that we found to the contrary, in his not presenting our petitions to the Lords Commissioners of the Admiralty.

But to convince our country at large, that there is not in any wise the least spark of republican spirit, we have caused to be inserted the most private of our concerns: sorry also we are to remark the words "French agents," as our country may think by that assertion, we now take into our arms the people that a British seamen detests the name of. But to the contrary, we have our country's good as much at heart as any other description of men whatever, and that our request is nowise injurious to our country.

We ask for that comfortable subsistence which our country can easily bestow, and that those barbarities which are practised by some (sorry, indeed, we should be to say the whole, as there are among us men of every description, both good and evil) be erased out of this well-instituted service.

We the subjects of your address, coolly, as the representatives of that body which has so long lain under the well-known Buoy, wish you to

real and corporeal state, and try for one week, if the scanty allowance on which we are obliged to subsist, will keep you in the spirited state which men of our description require, but are at this moment without the assistance of at least two-thirds of their pay; and our wives and families languishing in want, whilst this country, that abounds in plenty, ought to be ashamed at the word Want!

To the brave Admiral Kempenfeldt's Ghost,
Buoy of the Royal George, Spithead.

P.S. If the clamours for justice daily echoing from the mouths of the loyal tars should again awake the spirit of Kempenfeldt, let not his ethereal, but his corporeal part, make itself known, and we will convince him, that those who have made *Britannia rule the main*, know also their duty to their sovereign.

Spithead, April 20, 1797.

After some time spent in deliberating upon their position, and weighing the merits of the several demands, without submission to which it was evident no hope of a termination to the unhappy differences could be expected, the board came to the conclusion, that the main grievances specified in the petition must be finally redressed. In consequence of this resolution, Lord Bridport received the following instructions, which he was ordered to communicate to the fleet:—

By the Commissioners for Executing the Office of Lord High Admiral of Great Britain and Ireland, &c.

Having taken into consideration a paper con-

advance of their wages, and being desirous of granting them every request that can with any degree of reason be complied with, we have resolved to recommend it to his Majesty that an addition of five shillings and sixpence per month be made to the wages of petty officers and seamen belonging to his Majesty's navy, which will make the wages of able seamen one shilling per day, clear of all deductions; an addition of four shillings and sixpence per month to the wages of every ordinary seamen; and an addition of three shillings and sixpence to the wages of the landmen; and that none of the allowance made to the marines when on shore shall be stopped on their being embarked on board any of his Majesty's ships. We have also resolved, that all seamen, marines, and others, serving in his Majesty's ships, shall have the full allowance of provisions, without any deduction for leakage or waste; and that until proper steps can be taken for carrying this into effect, short allowance money shall be paid to the men, in lieu of the deductions heretofore made; and that all men wounded in action shall receive their full pay, until their wounds shall be healed, or until, being declared incurable, they shall receive a pension from the chest at Chatham, or shall be admitted into the Royal Hospital at Greenwich. And your Lordship is hereby required and directed to communicate this our determination to the captain of each of his Majesty's ships under your orders, directing him to make it known to the ship's company under his command,

longer expect to enjoy those benefits to which by their former good conduct they were entitled; that, in such case, all the men now on board the fleet at Spithead shall be incapable of receiving any smart-money or pension from the chest of Chatham, or of being admitted at any time into the Royal Hospital at Greenwich; and that they must be answerable for the dreadful consequences which will necessarily attend their continuing to transgress the rules of the service, in open violation of the laws of their country. On the other hand, he is to inform them, that we promise the most perfect forgiveness of all that has passed on this occasion to every ship's company, who, within one hour after the communication to them of the above mentioned resolutions, shall return to their duty in every particular, and shall cease to hold further intercourse with any men who continue in a state of disobedience and mutiny.

Given under our hands at Portsmouth, the 20th April, 1797.

(Signed) SPENCER.—ARDEN.—W. YOUNG.

To the Right Hon. Lord Bridport.

The captains of the several ships, having assembled their crews on deck, read the proposition made by the Board, and then asked the question, Whether they were satisfied with the conditions offered? The reply was in the affirmative, and a general feeling of confidence seemed to have been restored to the fleet. Before, however, a final settlement could be effected, the concessions

body legislating for, and embodying the sentiments of, the fleet. Thirty delegates were assembled on board the Queen Charlotte, but four were absent. The members present unanimously agreed in opinion to accept the terms, and to advise the crews of the respective ships immediately to return to their duty. Unfortunately, however, when they were upon the point of formally signifying their assent, the four absent members returned, and the whole business was re-considered. Still nothing was elucidated in the consultation to shake the satisfaction already expressed. But it was argued that no guarantee had been mentioned, either for the king's acquiescence in the recommendation of the commissioners, or for the ratification of the articles by Parliament. It was farther alleged, that they had ventured upon lengths in their conduct which had placed their lives in jeopardy, unless they could obtain a free and unconditional pardon for all previous offences, under the king's sign manual. This view of the question opened new ground for discussion of an interesting and painful nature; the committee, therefore, unanimously resolved to hold their advantageous position, until the king's pardon should be promulgated, and a sacred promise given that Parliament would confirm by vote the concessions made by the Board.

In reply, the Lords declared their willingness to recommend his Majesty to issue a proclamation and amnesty of all offences, but insisted upon the fleet trusting to their honour and immediately putting to sea. The delegates refused compliance, and in this unsatisfactory state the affair remained

Gardner, Colpoys, and Pole repaired on board the Queen Charlotte, to hold a conference with the delegates, with the expectation of inducing them to alter their determination. But the committee was deaf to the voice of entreaty, menace, and reason; they firmly and explicitly stated, that nothing less than the king's proclamation and the sanction of Parliament would justify them in attaching confidence to the fair words of the Board; they would neither be entrapped nor intimidated. High words passed between the parties; Admiral Gardner, with his usual impetuosity of temper, imprudently seized one of the delegates by the collar, and shaking him roughly, declared he would hang him and every fifth man in the fleet, as determined and inexorable traitors. This was the signal for general confusion, in which the gallant admiral was rudely assaulted, and escaped with his life, although with considerable difficulty. Exasperation and vindictive expressions followed.

The delegates from the Royal George departed, and rowed to their own ship, where they summoned the crew, narrated to them what had taken place, and consulted upon future proceedings. It was unanimously resolved to summon the whole committee on board the Royal George by signal. For this purpose, the red or bloody flag was hoisted, much to the terror of people on shore, who, unconscious of the transactions afloat, apprehended the worst consequences from a display of the dreaded symbol of resistance and defiance. Lord Bridport, enraged at this daring act of rebellion, ordered his own flag to be immediately

service and treason to the sovereign. The sailors, for their part, equally firm and regardless of consequences, retorted that he might do as he pleased; nay more, with their consent his flag never should be hoisted again. The guns were then shotted, the officers put under arrest, and a watch set as though the ships were at sea, in presence of the enemy.

The delegates had certainly excellent reasons for insisting upon a pardon before they resigned themselves to the honour of the government; since, a mutiny having broken out on board the Culloden a short time before, several of the ringleaders were hanged, notwithstanding a previous assurance that the offence should be overlooked by the authorities.

Great was the consternation of the Lords of the Admiralty when they perceived their efforts unavailing, and success receding to a greater distance. It was too late to retrace their steps or to affect a vindication of the law, where so much power had been gained by the workings of justice. On Friday evening they posted up to London, where, upon their arrival, Lord Spencer instantly summoned a cabinet council, in which he urged the necessity of complying with the ultimatum of the delegates. The king happening to be at Windsor, it was agreed that a council should wait upon him at that place, to recommend his Majesty to grant a free pardon, and oblivion of all that had passed. At five o'clock, Mr. Pitt, the Lord Chancellor, and Lord Spencer set off for Windsor, where they were met by Lord Grenville. At nine o'clock a council was held, at which the terms of the pro-

warded to Lord Bridport at Portsmouth, charged with the healing intelligence that the desired pardon might be communicated to the fleet.

The remarks made upon the cause for which the council was summoned, and upon the compliance only vouchsafed, at the last moment, to the sailors' demands, as they appeared in that portion of the public press which spoke the sentiments of the opposition, were just, severe, and well pointed. The writers said: "It would have been wise and dignified, that this council had been held on the first explosion, instead of attempting to chaffer and bargain with the fleet. The moment for negotiation was that when they first made their representation to Lord Howe. The neglect of their petition attached a severe responsibility somewhere, and required strict investigation. It was hoped that the whole affair would be an awful warning to ministers, how they presumed to trifle with the petitions of an aggrieved people." It was further alleged, that there is an insult in indifference, which is more painful to a spirited mind than injury; and no part of the ministers' conduct was so blameable as the pride with which they overlooked the most urgent memorials from all descriptions of men, whom they oppressed by delays, as injurious to the public service, as they were fatal to the objects themselves. Thus the arrears of half-pay, the arrears of reckonings, the undischarged king's warrants for military services, lying in vast masses in the Treasury, War and Pay-Offices, were subjects of severe grievance, upon which complaints were heard both loud and heavy.

To this it was answered, that no government

could attend to the paltry petitions of every individual who might fancy himself labouring under any specific grievance, such as would necessarily occur, at times, in the administration of public business; a flat denial was given to the story about arrears, and an assurance that the sailors' remonstrances were considered, immediately upon their coming before the board in a tangible shape.

The following is a copy of the reply issued by the delegates to the Admiralty orders, and also of the proclamation agreed upon by his Majesty in council at Windsor:—

To the Right Honourable the Lords Commissioners of the Admiralty.

We, the seamen and marines in and belonging to his Majesty's fleet, now lying at Spithead, having received with the utmost satisfaction, and with hearts full of gratitude, the bountiful augmentation of pay and provisions which your lordships have been pleased to signify shall take place in future in his Majesty's royal navy, by your order, which has been read to us this morning, by the command of Admiral Bridport:

Your lordships having thus generously taken the prayers of our several petitions into your serious consideration, you have given satisfaction to every loyal and well-disposed seaman and marine belonging to his Majesty's fleets; and from the assurance which your lordships have given us respecting such other grievances as we thought right to lay before you, we are thoroughly convinced, should any real grievance or other cause of complaint arise in future; and the same be laid

before your lordships in a regular manner, we are perfectly satisfied that your lordships will pay every attention to a number of brave men, who ever have, and ever will be true and faithful to their king and country.

But we beg leave to remind your lordships, that it is a firm resolution that, until the flour in port be removed, the vegetables and pensions augmented, the grievances of private ships redressed, an act passed, and his Majesty's gracious pardon for the fleet now lying at Spithead be granted, that the fleet will not lift an anchor; and this is the total and final answer. April 22, 1797.

A PROCLAMATION for pardoning such Seamen and Marines of the Squadron of his Majesty's Fleet, stationed at Spithead, as have been guilty of an act of mutiny, or disobedience of orders, or any breach or neglect of duty; and who shall, upon notification of such proclamation on board their respective ships, return to the regular and ordinary discharge of their duty.

GEORGE R.

Upon the report of the Lords Commissioners of the Admiralty, of the proceedings of the seamen and marines of the squadron of our fleet stationed at Spithead, and of the measures taken by the said lords commissioners in consequence thereof; and in order to manifest our desire to give due encouragement to all those who shall return to the regular and ordinary discharge of their duty, according to the rules and practice of the navy; we have thought fit, by the advice

of our privy council, to issue this our royal proclamation, and do hereby promise our most gracious pardon to all seamen and marines serving on board the said squadron, who shall, upon notification hereof, on board their respective ships, return to the regular and ordinary discharge of their duty; and we do hereby declare, that all such seamen and marines so returning to their duty, shall be released and discharged from all prosecutions, imprisonments, and penalties incurred by reason of any act of mutiny, or disobedience of orders, or any breach of neglect of duty previously committed by them, or any of them.

Given at our Court at Windsor, the twenty-second day of April, one thousand seven hundred and ninety-seven; and in the thirty-seventh year of our reign.

God save the King.

Particular orders had been issued by the delegates on the Saturday evening, for every sailor to appear in the rigging on Sunday morning with clean clothes, and to cheer as usual. Accordingly, the cheering was more animated and vociferous than upon ordinary days; every man who could mount the shrouds made his appearance, and the red flag continued flying on board the Royal George. At half-past six that same morning, a messenger arrived with the despatches from Windsor, having accomplished the journey in seven hours; an extraordinarily short space of time, if we look to the methods of travelling then in use, and to the state of the roads.

The port-admiral immediately summoned Lord

Bridport, Admirals Gardner, Pole, and Colpoys, who after a long consultation repaired on board the Royal George, about eleven o'clock that morning.

The differences between Lord Bridport and the crew had been in a measure smoothed over, in consequence of a letter which, after the exasperation of the moment had subsided, was written to the admiral, in which they styled him their father and their friend, at the same time disclaiming any intention of offering him the slightest degree of personal disrespect. Immediately that he had set foot on board the Royal George, he re-hoisted his flag, and, addressing the sailors with much feeling in a short speech, he informed them that he had brought with him a redress of all their grievances, and the king's pardon for the share they had taken in the late transactions. This intelligence was received with general satisfaction.

A signal was then made for the captains of the fleet to repair on board the Royal George. When they had assembled, copies of the king's proclamation were given them, which they were directed to read to their respective ships' companies. This order was obeyed about two o'clock in the afternoon; the greatest joy pervaded the fleet, and each ship gave three cheers at the conclusion of the business. But to the dismay and anxiety of the officers and people on shore, no token of reconciliation was yet visible in the Queen Charlotte, the delegates' ship; the red flag continued to fly at the main; the ropes at the yard-arms were still reeved, and doubts were entertained whether the delegates would accept the king's pardon, without the ratification of the Admiralty

orders by parliament. This delay was accounted for by the absence of two delegates, Joyce and Glynne, who were on shore; nor would the committee proceed to a consultation before their return. A boat having been sent to fetch these important individuals, they were conducted on board with all the respect and ceremony due to superior officers. The delegates immediately took the matter into consideration, and advised the fleet to return to their duty without delay. At six o'clock the flag and ropes were hauled down, and the ships cheered again as a signal that every thing was accepted on their part; that the council of delegates was dissolved, and that order, discipline, and subordination were again restored. The Mars and Marlborough were the last ships to yield; the former in particular maintained a spirit of defiance to the last; but in general, the disposition of the fleet was admirable; and a conviction obtained, not only among the sailors, but among the delegates themselves, that matters had been carried with a high hand quite far enough, and that the redress afforded was more than could have been reasonably expected.

Now that the danger had to all appearance passed away, the nation abandoned itself to a jubilee of joy and gratitude; the offence was to be buried in oblivion, and nothing to be remembered except the glory and renown, purchased by the navy in a series of splendid victories. Reflecting men, however, could not conceal from themselves the prejudicial effect which the weakness of government, in a moment of terror, might have upon other times, when a host of fancied grievances

should be pressed upon their consideration by those who had measured their power successfully with the crown and parliament; nor could it be reasonably supposed that discipline could emerge from a trial thus severe, without some taint of corruption or with its moral energy unimpaired. But it was replied, that the termination of the mutiny would only prove the folly of that horror with which a corrupt government is inclined to regard all petitions emanating from the people for a redress of grievances; and as for the lamentations of those who pretended to see in this great event a revolution in the system of British discipline, such foreboding might make the change which they affected to deplore, since they formed an acknowledgment of weakness likely to engender and animate disobedience. If viewed without prejudice, the affair might also be viewed without alarm. The grievances must have been severely felt and long suffered which could give rise to a confederacy so general, so systematic, so well combined, and so temperately conducted. Its management was a proof that it was not the effect of sudden passion, nor was the feeling local. In what new light then were British seamen to be considered? Was this the lesson to be learned, that they are naturally patient and forbearing, but when roused, firm, constant, and unconquerable? Thank Heaven, that was always their character, and would continue to be their character. The event had created no change, except that it would serve as a useful admonition to government not to slight the grievances of the seamen, when presented in the prudent and humble guise of petition without signatures. No task is more painful than for pride

to grant to defiance that justice which it has refused to prayer.

On Monday afternoon, Vice-Admiral Sir Alan Gardner, in the Royal Sovereign, dropped down to St. Helen's, with the first division of the fleet under his command, and was followed on the two successive days by Lord Bridport, in the Queen Charlotte, and by the remainder of the ships; the Admiral, however, was unable to put to sea, owing to the prevalence of contrary winds. The North-sea fleet, lying in Yarmouth Roads, under the command of Admiral Duncan, received the intelligence of the Admiralty resolutions with the most lively expressions of gratitude; and returned the following address of thanks.

Venerable, April 27, 1797.

The seamen of the North-sea fleet beg leave to return their grateful thanks to the Lords Commissioners of the Admiralty, for their ready compliance with the humble request of their worthy companions in the Channel Fleet. At the same time to convince their lordships of our united and steady support of his Majesty and our country, we will at all times risk everything that is dear to man. Have only to regret, from the situation of the enemy we are opposed to, it has not been in our power to show the nation we wish to do our duty and honour to our country and worthy commander-in-chief.

SEAMEN, Yarmouth Roads.

The squadron at Plymouth, under Admiral Sir John Orde, at the first, welcomed the tidings with every mark of satisfaction. But on the Tuesday evening they began to repent of their too easy ac-

quiescence, and to entertain grave doubts as to the certainty of the information which had been communicated to them. The Atlas of 98 guns, Captain M. Squire; Majestic of 74, Captain G. W. Westcott; and Saturn of 74, Captain James Douglas; went out of harbour, and anchored in the Sound. The crews determined upon refusing permission for any ship to leave the Sound until the business should be finally settled, to the satisfaction of their brethren at Spithead, and until they should be accurately informed that such was the case. They then sent orders to the Edgar, 74 guns, anchored in Cawsand Bay, to join them immediately. Delegates were chosen in the usual manner to assemble on board the Atlas, which was fixed upon as the *Parliament Ship*, such was the term used, whence all orders were to issue. Although an advance of wages had just been paid by the Commissioners of the dock-yards, and the bum-boats went off with slops as in ordinary times, yet no sales were allowed, nor any person belonging to them suffered to go on board. A long string of articles was nailed against the mainmast, containing instructions for the regulation of each ship. The whole of their correspondence by letter, after it had been officially communicated; was also nailed to the mainmast, for the perusal of all parties; so that the mainmast was made to serve both in a legislative and executive capacity. The ships lay with their lower yards down and their topgallant-masts struck, although the weather continued remarkably fine.

It was resolved, on Friday, that eight delegates should be despatched to Portsmouth in a cutter, for the purpose of learning the exact situation of

affairs; and that the ships would pledge themselves to act in concert with the Spithead fleet, whether for resistance or for submission. Accordingly they left the Sound, and upon their arrival at St. Helen's, received at a conference personal assurance, that all differences existing in the navy had been amicably settled. At about half-past five o'clock on Tuesday evening, May 2d, a blue flag was hoisted at the mizen-peak of the Atlas; and the signal was immediately answered by the Majestic, Saturn, and Edgar, each of which displayed a similar flag at the mizen top gallant-mast-head; the flags were kept up for a few minutes, and then the Atlas having hauled down her signal, the other ships followed her example. This was the private signal for the delegates to assemble on board the Atlas, a communication having been received from the committee of inquiry, which had been sent to Portsmouth. Its contents were to the effect, that they were perfectly satisfied with the manner in which all grievances had been adjusted at Spithead; and therefore they enjoined the crews of the ships at Plymouth to return to their former obedience and discipline. In conclusion, they acquainted the delegates, that they, the deputies, were then on their passage thither in one of the Portsmouth cutters, but had resorted to the post, for the conveyance of their intelligence, in order that the ships might be the more speedily reduced into obedience.

Upon hearing this agreeable information, the delegates dissolved their board, and reinstated their officers in the command of the respective ships.

In the mean time, however, a feeling of distrust was stealing through the crews at St. Helen's, and

contrary winds unfortunately prevented the fleet from putting to sea; thus they were exposed to sinister rumours, conveyed by malicious agitators to the ears of the sailors, and were also eye-witnesses to the fact that no active and public step had as yet been taken by government towards the fulfilment of those pledges, by which the Lords of the Admiralty were honourably bound.

On the 28th of April, Lord Bridport sailed from St. Helen's, with the following men-of-war: Royal George, Queen Charlotte, Royal Sovereign, Duke, Glory, Terrible, Defence, La Pompée, Robust, Impétueux, Defence, and Mars, together with the S. Fiorenzo frigate, and the Incendiary fire-ship. But the Marlborough, Minotaur, and Ramillies, were silent, when the signal was made for sailing, and refused to lift anchor. Still, Lord Bridport, fearful of testing the disposition of the fleet, dared not make any demonstration of force to compel the refractory vessels to obey orders, but was obliged to leave them, sulkily riding at anchor, to the bent of their own humours. Towards mid-day, however, the wind chopped round into an unfavourable quarter, and the fleet, putting back, resumed her former station at St. Helen's. The three recusant ships had been for some time dissatisfied with their officers, and had vehemently urged upon the Lords of the Admiralty the expediency of some change taking place; upon this point, however, the board remained firm in a positive refusal, alleging the inconvenience and total subversion of discipline, which must beyond all doubt ensue if the crews should be permitted to dictate to it the officers under whom they were willing or indisposed to serve.

Happily in a day or two the seamen and the

officers came to a good understanding on board the Ramillies and the Minotaur, but the Marlborough remaining in a state of insubordination, refused to join the fleet.

A transaction now took place in the House of Lords which, unfortunately, kindled once again the flame of discord, and threatened to renew, in a more formidable shape, all the dangers hitherto happily avoided. Ten days had elapsed without any public notice of measures for redeeming the credit of the Admiralty Board, by the application of some prompt and practical remedy for the grievances of the sailors; all that had been received or heard of, up to this time, was a mere verbal announcement of the government intentions, conveyed to the fleet at the same time with his Majesty's pardon; besides, no authentic account of the origin of the discontent, its progress, the means adopted to allay it, and its suppression, had as yet been communicated officially to Parliament. The Duke of Bedford, under these circumstances, and perhaps urged by symptoms of uneasiness at St. Helen's, called the attention of the Lords to the subject, on the evening of Wednesday, May 3. The following is an abstract of the debate.

The Duke of Bedford asked, whether any of his Majesty's ministers had it in charge from his Majesty to make any communication upon the recent important transactions which had occurred in the marine department? If no such communication was made, either now or on a future day, he should find himself called upon to bring a subject, so connected with the best interests of the country, before their lordships, by moving for the production of certain papers connected with it.

Earl Spencer replied, that he had it not in charge from his Majesty to make any communication to the House, nor did he foresee that any communication would be made upon that subject.

Earl Howe said, that as his name had been mentioned in the transaction alluded to, he had anxiously waited for a suitable opportunity to explain to their lordships the part which he had acted in this business. Had any censure been attached to his professional character, he would have looked to another quarter for an inquiry into his conduct; but as the blame which had fallen upon him in the present instance related to his conduct in a capacity different from that of an officer, he looked to their lordships for his vindication. The explanation, therefore, for which he was called upon, he should take an opportunity of giving when the noble duke brought the subject before the House. He expressed a wish, however, that for the sake of the service the business had never been brought under discussion, for the legislature would be placed by it in a most delicate situation. Either they must approve of transactions which every man must wish had never happened, or they must withhold that approbation, and thus acknowledge that they had made concessions under the pressure of the moment, which they think improper to confirm.

The Duke of Bedford said, he was now too well acquainted with the issue of motions in that House which the King's ministers intimated their intentions to oppose. He certainly, therefore, should not make an attempt to bring the present subject into discussion, which he well knew would be fruitless. But if he could conceive any terms

in which he could couch a motion for the production of the papers connected with it, he would make that motion now; as the transactions, however, to which he referred were without a parallel in history—for he knew of no instance but the present, in which the ministers of the king had entered into correspondence and negotiation with any body of his Majesty's subjects—to conceive the proper terms for a motion on such a subject was no easy task. If any mode occurred to him of obtaining these papers, he should propose it to the House on a future day, without any preface or recommendation, leaving it entirely to the decision of their lordships.

Earl Howe.—Between the second week in last February and middle of March, being then confined by illness at Bath, I received, by the post, several petitions, purporting to be transmitted from different ships of the Channel fleet. They were all exact copies of each other, limited solely to a request for *an increase of pay*, that the seamen might be able to make better provision for their families, decently expressed, but without any signature. I could not reply to applications which were anonymous, nor acknowledge the receipt of them to parties unavowed and unascertained. About four or five of the petitions first received, though little different in the handwriting, were obviously dictated by the same person, and I had therein further reason to think they were fabricated by some malicious individual, who meant to insinuate the prevalence of a general discontent in the fleet.

Not resting, however, on this conclusion, I

wrote to an officer at Portsmouth, to whom I was naturally to expect such applications would in my absence, be addressed, to inquire whether any such dissatisfaction existed in the fleet. The answer was, "that no such appearance had been heard of there, and it was supposed the petitions had been framed for the purpose I suspected."

"On the morning of the 22nd of March, the day after I was able to come to town, one of the Lords of the Admiralty, now absent on service, happening to call upon me, I related these particulars to him, showed him the petitions, and sent them the same day to his house in the office, that they might be communicated to the noble earl who presides at that Board. Of the subsequent events I have no other knowledge but such as is to be obtained in the daily papers. Demands for an increase of pay, by a fleet or army on service, are not to be discussed, I apprehend, in anonymous correspondence."

The debate, thus given, was pregnant with important consequences. Delay, the theme of the Duke of Bedford's speech, apparently confirmed by Earl Spencer, in the remark, that he had no expectation of receiving his Majesty's commands to bring down any intelligence to the House, were topics which, in the hands of skilful disturbers of the public peace, were easily managed so as to rake up the ashes of expiring differences. In the first place, a notion was industriously disseminated through the fleet, that the administration of the country was disposed to evade the promises made by Earl Spencer to the seamen; the report gained credit, and acquired a more serious confirmation from a handbill, indus-

triously circulated, of which the purport was, to convince the fleet of the Lords' indisposition to grant them the stipulated relief. Suspicions of the sincerity of ministers now gathered strength from the delay of every hour; until insubordination reappeared and blood was shed.

On Sunday, May 7, when Lord Bridport made the signal to weigh anchor, every ship refused; the yard-ropes were rove; the delegates assembled, and proceeded to the London, Admiral Colpoys, with the intention of holding their convocation on board that ship. On their way they first of all visited the Marlborough, and were received with open arms by that most undaunted and rebellious of all the crews. The delegates, after they had established their authority in the Marlborough, rowed with all due form alongside the London. Vice-Admiral Colpoys ordered them to sheer off, but they resolutely insisted upon boarding, notwithstanding the admiral warned them that the first act of disobedience would be fatal. While they were attempting to gain the sides of the ship, the admiral ordered the marines to fire into the boats; three delegates were killed, and five wounded. A scuffle ensued, which ended in the seamen getting possession of the deck, and wounding Lieutenant Simons, of the marines, together with several of his corps. The mutineers then tried to point a main-deck gun aft against the officers; in this attempt they were resisted successfully at first by Lieutenant Peter Bover; but, upon a renewal of the attack, that officer pistolled one of his assailants: for this offence he was soon after seized, and taken to the forecastle to be hanged at the yard-arm. The

rope was fastened round his neck, but he was saved by the interference of Mark Turner, one of the delegates, with whom he had fortunately been acquainted in another ship. The seamen of the London, having now gained the command of the ship in defiance of the officers and marines, turned the muzzles of the foremost guns aft, and threatened to blow every one of their opponents into the water; in the mean while Lieutenant Bover was standing on the forecastle awaiting his sentence. The admiral now interposed, and very nobly observed, that he alone was to blame, and that he had acted by orders received from the Admiralty. The seamen demanded and obtained a copy of the orders, which we have given entire at a later period of our history. The article, however, upon which he proceeded is as follows: "That the captains and commanders of his Majesty's ships be particularly attentive to the conduct of the men under their command; and that they be ready, on the first appearance of mutiny, to use the most vigorous means to suppress and to bring the ring-leaders to punishment." These orders were dated the 1st of May.

Admiral Colpoys and his superior officers were instantly put under arrest; his banting being struck, was superseded by the bloody flag, and the marines made prisoners. The delegates shortly afterwards held a consultation, at which it was proposed to try the admiral, Captain Griffiths, and the first lieutenant of the London, by court-martial, upon a charge of being accessory to the death of certain delegates from the fire of the marines.

On Monday, at noon, the red flag was hauled down, and the admiral's flag again hoisted on

board the London. This signal, however, was far from being any favourable indication of a desire to return to duty, as was the interpretation put upon it by the people ashore; but only for all the ships to rendezvous at St. Helen's, in order that the trial of the officers might be conducted in safety and with due solemnity. To so great an extent was their determination carried, that the delegates commanded Captain Milne, of La Pique, to repair on board the London; but whether as a member of their mock court-martial, or as evidence, was uncertain.

The next step of the mutineers was to send away, with their baggage and servants, the principal officers; among whom the most distinguished were, Vice-Admiral Gardner, and three of his lieutenants, from the Royal Sovereign; Captains Hollowày, of the Duke; Alexander Hood, of the Mars; Nicholls, of the Marlborough; Wells, of the Defence; Campbell (Lord Cawdor's brother), of the Terrible; Cook, of the Nymph; Bligh, of the Latona; and all the officers of the Pompée frigate.

After this business had been accomplished, the delegates came to a resolution to assemble the whole Channel fleet at St. Helen's. They therefore ordered the Royal William, the port-admiral's flag-ship, to join them immediately; and also despatched a frigate to Plymouth, enjoining the three mutinous vessels in that port to sail round to the place of rendezvous. Sir Roger Curtis' squadron, at Torbay, if it had not yet put to sea, was to be informed of the fresh disturbances which had broken out at Spithead, and to be requested to cast in its lot with the rest of

the fleet. In the mean time, the weather came down upon them in a dreadful hurricane, and the ships, destitute of their officers, and only under the guidance of the seamen in command, were either in danger of getting aground as they were steering for St. Helen's, or, having arrived there, and riding at single anchor, devoid of any more skilful control, incurred the risk of running foul of each other, and were in continual hazard of being lost.

While the state of affairs was thus gloomy and foreboding of evil at Spithead, the news created a panic in London, and seriously alarmed the government. Public interest was divided between speculations upon the intentions of ministers, and apprehension for the fate of Admiral Colpoys and his fellow-officers. Rumour, with its thousand tongues, had already disseminated tales of condemnation and execution, while hope pleaded the offer of most unbounded concessions, if in that way their lives might only be purchased. The most extravagant advice was given, which, but for the awful suspense of the moment, would have been put down for the ravings of insanity. For instance, it was gravely proposed that the king himself, or at the least, a deputation from both Houses of Parliament, should journey to Portsmouth without the least delay, and by personal supplication strive to put an end to such an alarming state of insubordination; just as the merchant in danger of shipwreck is poetically described as vainly attempting to propitiate the yawning waves, by flinging into their abyss the most choice and precious of his silks and spices. To enforce this mad project, it was added that the

period was too critical to be precise about forms or to consult party.

On Monday evening Mr. Pitt rose in his place, in the House of Commons, to move a resolution for a grant to his Majesty, towards increasing the seamen's pay, according to the addition directed by order of council of the 3rd of May.

An abstract of the debate, beside the historical interest with which time has invested it, will serve also to place in a clear light before us the position in which the question was viewed by the two great parties of the day.

The House having resolved itself into a committee of supply, and the estimate being read for an additional allowance to seamen, *the Chancellor of the Exchequer* (Mr. Pitt) thus, in substance, spoke upon the question :—

I rise pursuant to the notice which I gave on a former day, to call the attention of the committee to the subject of the estimate now before them. I feel myself, on the present occasion, placed in a situation of considerable difficulty and embarrassment. I am aware that it has always been usual, when any addition to the public expense, and consequently to the public burdens, was proposed, to enter into the grounds of the proposition, and to explain in detail the particulars of the measure. I now, however, feel it necessary to declare that I cannot, in the circumstances in which I am placed, consistently with the duty I owe to the public, enter into such a statement; the proposition, therefore, which I shall have the honour to move, I shall submit to you without entering at all into its merits, trusting that you will pronounce

a silent judgment upon it, conceiving as I do, that I should be departing from my duty, and that the committee would be acting contrary to the most important interests of the nation, to entertain any discussion upon a subject of so much delicacy at the present moment.—For whether I consider the occurrences which happened some time ago, or the difficulties which now exist—the particulars of which I am not prepared to state, but which may perhaps have arisen from misrepresentation of what passed in another place—this must operate as a motive for the exercise of additional caution to guard against the slightest misapprehension, while at the same time it affords ground for hope, that the knowledge for the decision of parliament upon the proposition which I am about to submit to the committee, will entirely remove the discontent which has prevailed, or which may at present exist. Under these circumstances, then, I feel it my duty to ask, and entreat the silent judgment of the committee on the proposition which I shall make, grounded upon the estimate now before them. The amount, which is, perhaps, the point least worthy of attention, will be,

For advance of pay	351,000
For additional allowance of provisions	185,000
Making a total of . . .	£536,000

I think it my duty to state, however, that the estimate for the increased expense of victualling was framed upon an old rate, when provisions were considerably cheaper than they are now, so that the actual amount upon that head will considerably exceed the estimate. Making allowance for this excess of the actual amount above the

estimate, the whole expense for the nine months of the present year I compute at 372,000*l*. I shall therefore conclude with moving a sum to be granted to his Majesty to that amount.

Mr. Fox. I certainly shall vote for the resolution which is now before the committee, but I cannot do it in the manner which the right honourable gentleman proposes, namely, to give it silently; I cannot do so without betraying my constituents. He seems to deprecate discussion upon this subject at this moment, as being likely to increase our difficulties. It is not to discussion, but to silence, we owe that difficulty. This House should not have been the confidants of the minister, and remained silent so long upon this subject. Had this House interposed upon the commencement of this matter, instead of indulging the ministers with the scandalous delay of a fortnight, I verily believe we should not have heard anything of the misfortunes which have recently happened. The minister has said that much of what has recently happened was owing to misrepresentation and consequent misunderstanding; and that debating the subject is not the way to put off the evil; that it can only be removed by voting a remedy for it in silence. I say that silence has been affectedly preserved in this House, in order, as I told the minister long ago, to give him an opportunity of doing away the effect of any misrepresentation or consequent misunderstanding that had taken place when we heard of this business first, and to avoid any future misunderstanding. It has not produced that effect, nor do I think it was well adapted to produce it; for I am convinced that secrecy is but seldom, if ever, so good a mode

of avoiding a misunderstanding as discussion. I will not now go into the detail of the conduct of the Admiralty upon this most delicate, critical, and important business during the Easter recess. Indeed I have not, nor has this House, any authentic information upon it. From what I have heard, however, in common with the public, I have strong doubts of the propriety of that conduct. It seems to have been that of neither denying nor granting, but an endeavour to bargain with the seamen, and to offer them less than was reasonable they should have, since it was less than is now proposed to be voted in this Committee. The evil of this is, that you have increased, when you should have diminished, the suspicion of the seamen, and more especially some personal diffidence, which it appears they entertain. This House might, on the Monday or the Wednesday following the notification of the discontents, have voted that which is now proposed, and it is inexcusable in ministers to have delayed it so long. But most extraordinary indeed it is, that silent confidence in ministers should be now demanded of this House. I say that, after seeing the criminal conduct of the administration upon various occasions, but most strikingly upon this, if this House shall now continue to place silent confidence and a blind trust in men who have so misconducted themselves, it will be little less blameable than Ministers have been. It will be criminal in this House to repose trust and continue power in the hands of men whom we know, by bitter experience, to be unfit to conduct our affairs; who have shown a degree of guilt or incapacity, or both, that has led us to the brink of destruction. I say this is not a time, nor are the present cir-

cumstances those, in which we should repose confidence in an administration generally, even supposing it to be the reverse of what I think it is; namely, the best of all possible administrations; but least of all to such an administration. Ministers cannot say they were not warned of the danger of delay upon this most important of all subjects. I asked the minister as early as I could what was intended to be done, and when. I entreated that he would not suffer any delay to take place: I repeated my questions and entreaties; and if I have any reason to blame myself at all for the part I took, it is for not having repeated my desires still oftener. That it should now be supposed, that any good can arise out of secrecy and silence upon this subject, is ridiculous. The thing is absolutely impossible. Does the right honourable gentleman really think that not only now, but for ever, the cause of this discontent is to remain a secret? Does this House really mean to say to the people of this country, that, after what they know has happened at Portsmouth, upon the commencement of this misunderstanding and since, that they will never inquire into the cause of it? Are we so abandoned as to determine never to have any responsibility upon ourselves, but that we are to say, we will leave the whole of it, under a blind confidence, to our executive government to manage? I say we ought to take responsibility upon ourselves; it is our first and greatest duty, without the due performance of which, we shall be worse than useless to the public. If we neglect that duty, consider what may be the effect of this? What has happened may happen again *. What is it that has already appeared before us?

* How prophetic did this prove!

—That grievances have been complained of, and have not been sufficiently attended to. The cause of these complaints cannot be fully known. I declare, upon my honour, I do not know the cause. All I know is what I have seen in newspapers, related as having passed between the Admiralty and the delegates of the fleet. I never heard how far the Admiralty conceded to, or opposed, the wishes of the seamen. I never understood the matter to this day, and even now I do not fully understand it. Why then, I ask, how am I to do my duty to the people of England, in voting away their money under circumstances that are more important, perhaps, than any that ever came before us till now, without knowing the real truth, as to the cause of that vote? I say that we ought to know the cause; for without it how can we be satisfied that the remedy is adequate to the evil? I say also, that if ministers were as successful in all their plans, as they have been unsuccessful; if they had fulfilled all their promises as uniformly as they have disregarded them; if they had gratified our wishes, in proportion as they have disappointed our expectations; it would even then be the duty, the bounden duty of the House of Commons, in this most critical and important of all cases, to call for a full explanation of the causes of this discontent. I hope the right hon. gentleman will state them all fully and authentically to this House at some future period. I think he ought to state, even now, what were the circumstances which have led to the misunderstanding between the fleet and the Admiralty, after the first promise was made to the sailors. This he ought to do now, in order

that we may know whether this vote which is before us, is a complete or a partial compliance with the wishes of those who are the objects of it. To endeavour to pass it by in silence is silly. To expect that secrecy can save you now, and to think that it may be smothered, is the weakest of all possible hopes, by which you will resemble children, who shut their eyes and think that nobody can see them. I therefore hope, that this business will not be suffered to be passed by in silence. I will no more be answerable for any misrepresentations that may go abroad upon our discussion than the minister; but I know that much more misunderstanding is likely to follow silence than discussion. I therefore wish the matter to be discussed. I wish to know now, whether this is all that is intended to be done on this business? By this species of blind confidence, which the minister is so ready to ask, and which this House is much too ready to grant, the constitution of this country may be undone. I know there are many who think that the inconvenience of popular assemblies is great, on account of the publicity of their proceedings; hence indeed has arisen great error in giving to ministers confidence when they ask it. But our present ministers seem to think, that the less they are called upon to explain, the more danger there is in attempting it; and they call for confidence in exact proportion as the necessity is urgent for explanation.

The Chancellor of the Exchequer said, he thought that a silent vote upon this subject was the best, and therefore he took the liberty of recommending it. He thought so still, for he was not shaken in that opinion by anything that

was said by the right honourable gentleman who spoke last; and it was singular enough, that that very person, who called for so much information, declared he should vote for the resolution, after he had heard the explanation that had been given; although he declared, at the same time, that he knew no more upon it than any other member of the House. A pretty convincing proof that what he had heard already was sufficient to convince him of the propriety of the present motion. This added to his opinion on the propriety of his not entering further upon this discussion.

Mr. Sheridan said, he certainly should vote for the resolution; but there was a question he should propose to the right honourable gentleman, which might be answered without involving that discussion which he wished to avoid, or that mischief which he apprehended. In allusion to the new disturbances which were said to exist, the honourable gentleman had said, that nothing was so likely to restore tranquillity as an immediate vote in favour of the resolution. But why then did not the right honourable gentleman avail himself of the opportunity of submitting that vote sooner, when it might have prevented the disturbances it was to appease? Why was it that the vote was to be proposed, when information was received that new disturbances had broken out? Why did he not take immediate steps, in consequence of the promises which were made? Why, instead of the slow and procrastinating mode that had been followed, had not the right honourable gentleman come with a message from the throne, recommending the House to take

measures to carry into effect what had been done? He distinctly asked, then, why a fortnight's delay had been interposed before any steps were taken to carry into effect what had been done? How could they rely that even what they were to vote would be properly carried into effect? From the words of the Lords of the Admiralty, they had come to the resolution of acceding to the demands of the seamen,—"that they might have as early as possible an opportunity of returning to their duty, as it may be necessary that the fleet should speedily put to sea to meet the enemy of the country,"—it was plain that they did not expect that the seamen were to return to their duty upon that promise, but that some other proceedings would immediately follow upon it. The first step, then, ought to have been a communication to the House; and such a vote as this, passed with unanimity, would have perfectly satisfied them. He thought too highly of the character of British seamen to imagine that this vote would not satisfy them; and if it did not, he should think more degradingly of them than he did at present. This representation might have induced them to do what they ought not to have done; but the right honourable gentleman ought to have prevented the possibility of such misrepresentation. He was convinced, however, that means of conciliation would be more effectual, if accompanied with a vote of censure on ministers for not coming to parliament sooner with some proposition on the subject.

The Chancellor of the Exchequer said, it was a mistake to imagine that the proposition had been brought forward in consequence of recent occur-

rences. He had given notice on Thursday, that estimates were to be presented, and they were laid before the House on Friday; and this was the earliest day that could have been appointed for taking them into consideration.

Mr. Fox differed from his honourable friend with regard to the blame imputable to the Admiralty. Knowing, and valuing as he did, the private character of the First Lord of the Admiralty, he could not but wonder that a man, with feelings like his, could suffer a fortnight to pass without suggesting to his friends the necessity of haste.

The resolution then passed *nem. con.*

A cabinet council was held the same evening, after the parliament had broken up, at which it was resolved to send the resolution by express to Portsmouth. Much good was expected to result from the communication. It was argued, that the good sense and loyalty of the navy would hinder them from persevering in a disorder which must be fatal to the country. They had in the resolution the solemn pledge of parliament for their security, and for their demands; every man in the kingdom would join them in resenting the violation of the terms agreed upon, if anything so wicked and absurd should be attempted. They knew there never was an instance of a solemn indemnity being disregarded; nor ought they to be led away from a just confidence in the king's word.

But the sailors were not made of flexible materials; the quarrel with the officers had passed all bounds of moderation; of the increase to their pay, and of a change in system, they entertained no doubt, because they were always in a condi-

tion to stir up reminiscences of the past, if the Lords of the Admiralty should be foolish enough to trifle with them. Although the ostensible reason and moving cause for the renewal of the mutiny was the delay in carrying out the Admiralty recommendations, yet private pique against the officers had more to do with it than the sailors were willing to allow. The resolution, however, was to be immediately followed up by an act of parliament, giving it the force of law. On Tuesday evening, Mr. Whitbread opened the attack upon government by demanding an explanation of their unwarrantable delay in bringing forward the bill, upon which they were that night summoned to deliberate. He also intimated his intention to move a vote of censure against Mr. Pitt, if the explanation should turn out to be, as he anticipated, unsatisfactory in its nature. When this prelude to a more serious question had been finished, the bill for granting the different allowances, promised to the seamen, passed both Houses with great haste; and a commission having been appointed by the king for giving it the royal assent, it became the law of the land, and was sent off to Portsmouth the same night.

The following is the debate both in the Lords and Commons.

House of Lords. Tuesday, May 9, 1797.

In consequence of a message received from the House of Commons by Mr. Pybus, requesting their lordships to sit a little longer, they waited till the bill was brought up for granting an additional allowance to the seamen on board his Majesty's fleet. The bill was read a first time with-

out opposition. On the motion that it be read a second time,

Lord Suffolk said, he conceived this to be the stage of the bill, on which it was proper for him to put the question to the noble secretary of state, which he had come down for the purpose of asking, with an anxiety bordering on distress. He wished, in the first place, to know why the bill now before the House was not brought in a fortnight ago, and what were the causes of the delay which had taken place?

Earl Strange (the Duke of Athol), thinking that incalculable mischief might be the consequence of any discussion taking place upon a subject of so great delicacy, rose for the purpose of deprecating such a discussion, and of expressing a wish that the bill should go through its several stages, without any observations being made upon it.

Lord Grenville declared that there was no species of invective, however bitter, and no declamation, however irritating, which should provoke him to depart from the duty which he owed to the public, by entering into a discussion which would highly injure the best interests of the country. He little expected to have heard of different sides of the House on this night; different sides of the House on such a question! On such an occasion it was the duty of their lordships to act with unanimity, and to forget all questions of inferior moment; under a firm conviction that the present difficulties under which they laboured were entirely owing to a scandalous misrepresentation of what passed in that House, on a former evening, he should not, on the present evening, give a second opportunity for the same cause, to

produce, perhaps, still more calamitous effects. He should, therefore, sit down with an expression of thanks to the noble earl (Strange), for the judicious and manly way in which he had expressed his sentiments upon the subject.

The Duke of Bedford said, he rose for the purpose not of introducing discussion upon the subject of the bill now before the House, but of resisting the doctrine that their lordships were bound to sanction whatever his Majesty's ministers thought proper to propose. He was not surprised, however, that discussion and explanation were equally obnoxious to his Majesty's ministers; for secrecy alone could screen their conduct from censure, and their characters from infamy. When any light was thrown upon their actions, it served only to convict them of odious treachery, or the most shameful incapacity.

Lord Rawdon said, that the question put by his noble friend (Lord Suffolk), did not invite any discussion upon the subject of the bill now before the House. His noble friend did not object to the bill, he only wished to know the cause of the delay which had taken place in bringing it in. There was one consequence of a serious nature to be expected from the silence of the noble secretary, if it was persevered in; namely, that the delay would naturally be ascribed to official neglect; a circumstance which certainly would not tend much to conciliate the seamen, at least, to those who administered his Majesty's government. The explanation desired went only to one simple point, and it was idle and childish to evade it; viz., why the measure now adopted was not taken with greater expedition?

The Duke of Grafton said, that he did not ask too much, when he asked a confession from their lordships, that the present was one of the greatest calamities with which the country was ever afflicted, and that it arose chiefly from procrastination. If, then, these positions were founded in rectitude, would any of his Majesty's ministers be hardy enough to say that the country ought not to be informed of the causes of that procrastination? When they were putting off the definitive settlement of the business from day to day, did they recollect the promise of the First Lord of the Admiralty, to pledge his Majesty's royal word that the measure should be carried into effect? Had he been First Lord of the Admiralty, he would not have been an hour from the elbow of the minister, till he had got his promise carried into execution; and the minister, on his part, ought to have recollected, that his Majesty's most gracious order called upon him to take the speediest steps for giving it effect.

The Lord Chancellor contended, that those who were for entering into discussion at the present moment, partook, in some degree, of the criminality imputed to those who were said to be the authors of the delay. He appealed to the feelings of their lordships to consider, whilst they were debating in that House, what might be at present the situation of the fleet; to consider that while they were entering upon topics, which might be agitated at a future day, and asking questions which might as well be answered tomorrow, the delay which was thereby occasioned to the passing of the bill might be putting in peril the lives of the best and bravest men in the

country. It was like stopping to inquire how a fire was kindled, before they employed the engines to extinguish it. The discussion of the subject was unavoidable; he only asked a flag of truce for one night, and their lordships' assent to the bill, that it might be passed, and sent off to Portsmouth immediately.

House of Commons. Tuesday, May 9, 1797.

Mr. Whitbread said, that in consequence of what had passed last night, and considering the impressions on men's minds relative to the disturbances at Portsmouth, he now rose, not to enter into the causes of that affair, but to press upon the Chancellor of the Exchequer a question which had been distinctly proposed to him, by two of his honourable friends last night, and to which no answer was made. He begged, therefore, to ask, why the proposition moved last night, was not brought forward on an earlier day? Had this been done, the disastrous consequences which had taken place might have been prevented. Unless a satisfactory explanation was given of a delay so fatal in its consequences, and for which the Right Honourable Gentleman was responsible to the House and to the country, it was his intention to move a direct vote of censure against the Chancellor of the Exchequer, for gross neglect of duty, in not submitting the subject sooner to the House.

The Chancellor of the Exchequer (Mr. Pitt) said, that he was responsible for what he had done in his official capacity; and whenever that vote of censure was proposed, it would be time to state to the House the circumstances upon which

he should be ready to rest his justification. As to the question proposed by the honourable gentleman, undoubtedly, both misconception and misrepresentation, of which a great share had most probably taken place, had arisen from the sense of the House not having been taken upon the subject; and even judging from what had happened, of the influence which this circumstance had produced, no man could lament more than he did, that any delay had intervened. But it was a great mistake to imagine, that no steps had been taken to forward the business, and to prepare it for being submitted to the House. Upon the 26th of April, the memorial of the Lords of the Admiralty, agreeably to the usual forms, had been referred to a committee of the council. That committee made their report, which was submitted to his Majesty. All these forms, which the regular conduct of the business required, necessarily consumed some time. After the approbation of the king was given, estimates were ordered to be prepared to be laid before the House. Meanwhile, too, the subject had been repeatedly before the parliament, not for the purpose of an express vote, but in a way that showed the business to be in train. He had expressly stated that there would be a communication on the subject, to enable the House to come to a vote, consistently with the usual forms. As early as the day on which the general state of the ways and means of the country was laid before the House, he had distinctly stated, that the provision then to be made, was independent of any additional allowance. Thus, upon many occasions, such steps had been taken as could leave no doubt whatever of

the intention of the executive government to submit the subject to parliament, as soon as the regular preliminary forms were observed. Certainly, all that speed had not been employed, which, if any danger of misconception had been apprehended, might have been used, and which was to be lamented, if that delay had given room for the misrepresentations which had taken place, and the consequences which had ensued. Such was the candid explanation of the delay which had taken place; and having given it to the House, he left it to the honourable gentleman to bring forward his motion whenever he thought proper. It would be observed, that there was part of what was meant to be granted, which not being usually stated on estimate, was not comprehended in the vote, but which would be included in the act. Waiving for the present, then, any discussion which was personal to himself, he hoped the House would see the propriety of immediately coming to the subject to which he alluded.

Mr. Fox said, that after the explanation which the right honourable gentleman had just given, he could not help saying that the delay complained of was an intolerable and fatal neglect of duty. In his opinion, ministers were guilty, not only judging that delay *after* the fact, but *before* the fact. The history of the transaction was, that in Easter week, complaints had existed in the fleet, meetings of delegates had taken place, and various other circumstances happened. A letter was written from the Admiralty upon the subject of these complaints, which stamped upon it a character of incapacity the most flagrant, or want of talents for acting upon a great and difficult crisis unex-

ampled in the annals of any administration. This letter not having produced any effect, a second had been sent, with which the seamen were said to be satisfied, and on which they were to return to their duty. This transaction had taken place on Sunday morning, the 23d of April. Under all the circumstances with which this affair was accompanied, he would submit to any impartial mind, whether this were an occasion for tardy forms and official delays. What was the duty of ministers upon this occasion? Was it not their duty, after they had recognised the delegates with whom they treated; after they had made a promise, to have lost no time in completing the transaction? Yet in stating the rapidity with which they had acted in pursuance of the usual forms, it appeared that the first date of any step was the 26th of April, three days after the agreement had been made. Was not this a matter upon which the utmost despatch ought to have been used? Delays till the opinion of council was taken! Good God! after a pardon had been proclaimed for what had passed, when the active part of the council were the men who had agreed to the transaction to be considered, and who were bound to carry it into effect, could there be any doubt of the opinion of the council? was any delay necessary till it was pronounced? But even the order of council to which these tedious steps and formal proceedings were to lead appeared on the 3d of May, and five days elapsed before the subject was submitted to the House. Estimates, forsooth, were to be prepared! as if the minister could not guess what was to be the nature of the order of council; and could not therefore give orders for estimates to be prepared.

If this country be doomed to ruin, was ever country ruined by incapacity so gross, by misconduct so unparalleled? Was this a time to adhere to petty formalities, to procrastinate for the production of an estimate? The right honourable gentleman said, he had it in contemplation to bring forward the subject; he had alluded to it in his speech upon the budget. But how were the seamen to judge or to know his intentions? how were they to know that he was bound to bring forward the subject? Such was the elusory character of the right honourable gentleman's language, that it was often difficult even for the House to know by what he was to be held, and to what extent he was bound. But consider the nature of the transaction, and the circumstances with which it was accompanied, and let any man say it was necessary for the right honourable gentleman to suspend the business to give his clerks time to make out an estimate. After the fact, the right honourable gentleman regrets its consequences; there were not many of his acts which, at one time or other, the right honourable gentleman would not have reason to repent. A conduct, however, to which was owing the loss of the innocent lives of men, whoever they were, who had fallen, whether high or low, men to whom the country was highly indebted, ought not to be passed over unnoticed by the House. To oppose any measure which tended to expedite the final completion of the transaction, however, was by no means his intention.

Mr. Sheridan said, he was confident that not a doubt remained in the mind of any gentleman in the House, of the shameful misconduct of

his Majesty's ministers. Nor had he any doubt but that they all felt regret at what had happened, and indignation at those who were the cause of it, as well as contempt for their incapacity. He should himself, if his honourable friend had not given notice of it, have brought forward an immediate censure upon the king's ministers for having delayed this measure; but that he wished that nothing should now stand in the way of passing the Bill. The reason which the minister offered as an apology for the delay that had taken place, was not to be endured under the circumstances of the time. The minister now pretended to say that he waited for an estimate of the expense which will attend this measure. Did he really believe that the public were to be so insulted? He could have brought this estimate down to the House at the very hour after the king's proclamation issued. This was such shameful neglect that he trusted the House would feel it, as he was sure the public felt it, with abhorrence. The minister was absolutely without excuse for the delay that had taken place. He knew that the sailors were dissatisfied. He now came forward with his unavailing regret that any disturbances had happened. He pretended that they arose from misunderstanding. Could there be any wonder at that misunderstanding? Had the sailors not a promise from the Admiralty; and was not that promise afterwards treated with apparent indifference by the king's ministers? Did they not delay the measure which could alone give it sanction? Had they therefore no reason for doubting the sincerity of the minister? It was true indeed that in most cases where money was to be called

from the people, the Minister's promise was precisely the same thing as a vote of the House of Commons, at least there was reason for thinking so from former facts; but it was not wonderful that the sailors thought otherwise, for they judged more of what Parliament ought to be than what it really was by its modern practice; and therefore, unless the Minister had lost his very superior intellects, it was impossible for him not to foresee the consequences that followed. He could not but foresee that, when the order was given for the fleet to weigh anchor, jealousy would remain among the sailors, and therefore he was to all intents and purposes answerable for the consequences that ensued. Be the claims of the sailors what they may, what was now proposed to be granted to them was nothing more than justice. At the same time that he said this, he must not omit to state distinctly his decided disapprobation of the mode in which these demands were insisted upon. It was unfair and inconsistent with the brave, generous, and open character of British seamen; nor had he a doubt there had been a foul interference with them, and means of the basest nature used to induce them to take the steps which they had taken. If men were oppressed, they ought to be relieved by their country. But, however just their complaints were, they ought to complain in a regular way. If there were among them, as he believed there were, any who advised the sailors to put their country into such peril as it stood in at this moment, for the mere purpose of having their objects carried, such men were the most base of traitors. He suspected there were persons of this description, and the evil

was of the most alarming kind, when the enemy were actually preparing in the most formidable manner against us. He thought that listening to the suggestions of such foes to this country would never have been the fault of the brave British seamen. He thought that the sailors had such a distrust in the promises of the executive government, and perhaps they might not have sufficient faith in the pledge of that House. They had evidently shown they had no faith in those who had hitherto negotiated with them, if accounts were true, as he was afraid they were; for it appeared by them that when the town was lulled yesterday into a sanguine hope that the disturbances were over, and that the London had sailed down to St. Helen's, and that Admiral Colpoys was gone with her, the delegates went on shore to view the dead bodies of those who fell in the scuffle. If this be true, as he feared it was, he would ask what was to be done with the fleet? What measure was to be taken? Had any been taken to prevent future mischief? Anything to prevent the most horrid of all calamities? He believed none. This was a signal instance, and a fresh one, of the deplorable incapacity of the present ministers in this critical conjuncture. By their criminal and murderous delay had they brought on this dreadful evil. It was at their door should be laid the blood that had been shed on this dreadful occasion. And yet, after all this, the right honourable gentleman came to the house and asked for confidence, as if nothing were the matter. He gave no answer to any question put to him, but desired the House to pass the whole matter by in silence. He said, he really did not

wish to give way to his feelings, and therefore he should endeavour to restrain himself. What would be the effect, if the House followed the example set before them by the Minister? A sullen silence was to be observed. What would the inference be which the sailors would draw from this? Why that the Parliament had passed this measure unwillingly, because an advantage had been taken of it, and in which they were not sincere, and which they would therefore abandon as soon as they had an opportunity of doing so. He hoped therefore that it would be expressed, as the general sentiment of the House, that they did give and grant this as the real right of the British navy; but if it were given in that sullen silent manner which the Minister proposed, it would not be giving to the sailors the security they desire. It was a curious thing to see the Minister, whose negligence brought on this evil, holding in his own hand the helm of the vessel, which, by his piloting, had been steering among the rocks, and telling the sailors, "Hold your tongues, let not a word be spoken; I will bring you safe through all your dangers, and as a proof that I will do so, I am the person who brought you into them." His own incapacity was the ground on which he called for future confidence. He thought therefore that if the other House was sitting, that the House of Commons ought to send it a message, to desire their immediate concurrence to the appointment of a committee, consisting of a small number of the members of each House. It could not be a question upon which any party feelings could operate; on this question there could be but one feeling; he

be appointed—to have power to send for persons and papers, to sit from time to time, and to adjourn from place to place as occasion might require, and there could be no difficulty as to the spot where they ought to be, and that they should proceed without any adjournment above eight hours from time to time, and commence without delay. He felt that this was the only measure by which we could extricate ourselves from this horrid calamity.

The Chancellor of the Exchequer should now move, That this message be sent to the Lords, that their lordships be desired to sit for some time longer.

The question was then put for a message to the Lords, to desire them to continue sitting for some time, upon the suggestion of the Speaker, and passed.

Mr. Pybus having taken the message, and returned with the acquiescence of their lordships,

The Chancellor of the Exchequer then moved, That a bill be brought up on the resolution of yesterday, for the additional allowance to the seamen, &c.; which being granted, the bill was brought in immediately, and passed through all its stages, and carried to the Lords. The House sat until the message came to announce that the royal assent was to be given to it by commission.

CHAPTER IV.

In consequence of the explanation given by the government having proved unsatisfactory to the opposition, Mr. Whitbread, on Wednesday evening, May 11, brought forward his motion of censure against Mr. Pitt. It is quite clear that the silence, under cover of which the minister, by passing his money vote, attempted to convince the fleet of the country's good faith towards them, was of a suspicious nature, and might be fairly turned to a party purpose, as offering a weak point for carrying on a smart attack against the administration. The question was, whether unnecessary delay had taken place, or, if not, whether the ordinary despatch had been used for effecting the arrangements proposed by the Admiralty, and sanctioned by the king; and again, supposing the regular official routine had been observed, whether blame did not attach to the minister for omitting to press forward measures with extraordinary haste, in matters of such vital importance to the safety of the state. Upon this position of the question hangs all the interest of the debate.

House of Commons. Wednesday, May 10.

ness approaching, rose for the purpose of conjuring the honourable gentleman opposite to him, to postpone the discussion of the transactions which had lately taken place on board the fleet. The motion of which an honourable gentleman (Mr. Whitbread) had given notice yesterday, could lose nothing of its weight by being delayed for some time, and the country had already suffered so much from untimely discussion, that he thought the House should be extremely cautious how they entertained a debate upon topics so delicate in their nature, and critical in their consequences. The country he pronounced to be in danger; and he called upon the House to endeavour to save it. In the present critical moment, therefore, he again conjured the honourable gentleman (Mr. Whitbread) to put off his motion till a future day, since by bringing it on he could do no good, and might do much harm.

Mr. Whitbread. In proportion as the crisis is awful beyond example, and the calamities with which the country is threatened, are alarming to an unheard-of extent, it is impossible for me not feel on the present occasion an uncommon degree of pain and embarrassment. Before the solemn appeal and adjuration which the honourable gentleman, for whom personally I have a great respect, addressed to this side of the house, and in particular to me, I experienced these sensations, and they must now be considerably increased, when I find it impossible, consistently with the duty I owe to my country, not to proceed in bringing on the motion of which I have given notice, in deference to him or any class of men with whom I may differ in opinion. It is delay

and procrastination which has brought us into the dreadful and calamitous situation in which we are now unfortunately placed; and there is nothing which I regret more, than not having moved a vote of censure upon the minister, on that day on which the estimates were taken into consideration, for his extreme and culpable negligence, in not having carried the measures proposed into effect with greater celerity. I regret, I say, that on that day a vote of censure was not passed upon his conduct, which might have accompanied the other vote to Portsmouth, for the purpose of convincing the sailors that the House of Commons had not been a party in that delay, to which all the subsequent calamities are to be attributed. That they have arisen solely from that cause is a proposition which, I think, I shall be able to substantiate from authentic documents; and if I am able to make good this proposition, if the House of Commons do not pass a vote of censure upon the author of that delay, we shall as grosely neglect our duty, as he has neglected his. I know there are those, perhaps a majority of this House, who differ with me respecting the origin of the recent insubordination of the fleet, and who will be ready to attribute any future mischief which may ensue, which God avert! to the discussion which I am now bringing before the House; but, however much I may wish to stand high in these gentlemen's opinions, I have a still stronger desire to stand high in my own. From that which my duty therefore calls me to encounter, I shall not be deterred by the fear of any animadversion which

apology, I proceed to a summary investigation of the ground of debate, in which I think I shall have no difficulty in being able to prove, to the satisfaction of the House, that the first minister of the country has been highly criminal in suffering the delay, which took place between the concessions which were made by the Lords of the Admiralty to the seamen and the ratification of these concessions by Parliament; and in this view of the subject the House will naturally perceive that the motion which I have to propose to them is nothing less than direct censure upon that right honourable gentleman. If I am asked, upon what grounds I ascribe the mischiefs which have arisen from this delay? I refer the House, to the speech of the right honourable gentleman (Mr. Pitt); in which, unsatisfactory as it was, he admitted that the delay had been an unfortunate circumstance, and that had he foreseen the events which have happened, he might have acted with greater despatch and expedition. Was it not an express article of the compact formed between the Lords of the Admiralty and the seamen, that the conditions upon which they stipulated were to be ratified by Parliament? Was it not promised by the Lords of the Admiralty that they should recommend the concessions which they had made, as far as they had power to make them, to Parliament for its sanction? In consequence of this stipulation and this promise, what were the seamen naturally led to expect? certainly that an immediate message would be sent by his Majesty to his two Houses of Parliament recommending the subject to their consideration. But was any message sent? No; nor has there been one to

this day. This would have been the natural mode, one would have thought, that ministers would have adopted to carry the measures for which they were pledged into effect. But let us see how they actually did proceed. From the public papers, which of course are authentic, I find that the ratification of the articles of their stipulation with the Lords of the Admiralty by Parliament was required by the seamen, before they were ordered to go to sea. This stipulation was concluded on the 23rd of April. On the 26th it was laid before the Privy Council, and was not ratified by his Majesty till the 3rd of May. And not even then a message was brought down to Parliament, the estimate not having been delayed laid before them till Thursday last. It was not indeed laid before them even then, but there being no House on Thursday, he gave the minister credit for having them ready on that day, if the House had transacted business. If this then was the case, was it not the least thing which that minister could do, that minister who by his unaccountable and criminal negligence had brought those numerous and aggravated calamities upon the country which every man so much deplored, and which might be attended with consequences still more fatal than any one was aware; ought he not to acknowledge his error, and to beg pardon of the House and of the country; and ought not the House of Commons, whose business it was to watch over the conduct of ministers, and to provide for the safety of the empire, to impose a censure upon him who by his gross incapacity had brought the state into this strange and unprecedented dilemma? I have stated that the seamen stipulated for a Parlia-

mentary ratification of the concessions made to them by the Lords of the Admiralty; this ratification being delayed, and mischief ensuing, I am entitled to presume that the mischief was the consequence of the delay. I know that it has been attributed to a different cause; that it is said to have arisen from misrepresentation of what passed in another place (the House of Peers); but even supposing that this was the real and sole cause of the calamities by which we have been afflicted, would not that misrepresentation have been prevented by an earlier communication upon the subject to Parliament? This account of the matter is only varying the light in which it is viewed; the source of the evil remains the same. I am happy to be informed by the news of this day, that in consequence of intelligence reaching Portsmouth of the vote which has been passed by this House, matters immediately assumed a more favourable aspect; and that, though the intelligence was prevented, by the unfavourable state of the weather, from being known through the whole of the fleet, the crews of those ships who were made acquainted with it immediately returned to their duty. If it required any additional proof, this is another circumstance which I am entitled to claim in aid of my position, that the whole of the mischief has proceeded from the delay of his Majesty's ministers in carrying their promises into execution. For, if the effect produced by the resolution of the House of Commons is to restore tranquillity, what could be the cause of the mutiny but the disappointment arising from that resolution not being passed at an earlier period? Indeed, the proofs are so clear, and the circumstances which I have

enumerated so conclusive, that I find it quite unnecessary to add anything further upon the subject. An inquiry into the origin and whole course of the transactions must be instituted at a future period; and I trust that if it shall be found that any part of them were owing to the misconduct of any member or members of the present administration, that they will be brought to that condign punishment which they so justly deserve. I may perhaps be taxed with warmth, and it may be that I have been excited to a greater degree of heat than is becoming in one preferring an accusation; but I cannot help feeling some degree of indignation, when I find that to all the other instances of wretched incapacity, of wasteful profusion, and of a dereliction of every honourable and worthy principle, by which their administration has been marked, they have added this new calamity, of magnitude unascertained and consequences incalculable. I shall conclude with moving the following resolution:—

"That the right honourable William Pitt, in having so long delayed to present the estimate of the sum necessary for defraying the expense of an increase of pay, and also of the proposed issue of a full allowance of provisions to the seamen and marines of his Majesty's navy, has been guilty of a gross breach of duty, and deserves the censure of this House."

The Chancellor of the Exchequer (Mr. Pitt). Before entering more directly upon the topics involved in the present question, I must not omit, on setting out, to state how the question stands in point of form. If any blame attaches to the conduct of government in the course of the trans-

actions which have been alluded to, I desire to be understood as not wishing to transfer the blame from myself, or even to divide it with another. But I owe it to the House to remark, that it was not my duty either to prepare or to present the estimates, and that I neither prepared nor presented them; that it was no part of my duty to direct the preparation; and that, in short, there is not one branch in the whole department of finance which falls so little within my province as that to which these estimates refer. The motion, therefore, in the first place was wrongly worded: but I beg again not to be misunderstood, as wishing to cover myself under this statement from censure. On the contrary, if the honourable gentleman means to impute blame to the authors of the delay which has taken place, and to which he ascribes the recent mischiefs which have unfortunately befallen us,-I am willing, personally, to meet the accusation, considering myself as responsible for every measure, not only connected with finance, but with the general safety of the country. I do not, however, find it necessary to trouble the House much at length upon the other points connected with the question, because they lie within a short compass; besides that the facts are already known to the House. The fair statement of the question is shortly this; whether the executive government were in possession of ground sufficient to enable them to infer that the delay which took place would be accompanied with danger to the country. The facts were these: on the 24th, not on the 23rd April, as was stated by the honourable gentleman, we heard that the seamen on board the fleet had returned to their duty. On

the 26th, after the intervention of a day, a memorial was presented to the privy council, containing the concessions which were proposed to be granted to the seamen. A committee was appointed to inquire into the subject of the memorial, and their report was delivered at the next ordinary council, which was held on the 3rd May, when these concessions were confirmed by his Majesty. Notice was given on Wednesday last that the estimate would be laid before the House on Thursday, but the House not meeting on that day they were presented on Friday, and ordered to be taken into consideration on the Monday following. Certainly at the time that the concessions were granted by the Lords of the Admiralty,—at the time that the memorial was delivered to the privy council,—at the time that the report was made,—at the time the concessions were confirmed by his Majesty,—at the time that the estimates were presented,—and at the time they were taken into consideration, there was unquestionable evidence that the executive government did mean to complete their engagements. I never have heard the sincerity of ministers called in question; and indeed there could be no ground for such a suspicion, for when the estimates were presented, the mutiny which had latterly taken place had not then begun. The honourable gentleman imputes this mischief principally to delay, and he is willing to allow even that misrepresentation had some share in producing it, while he charges the misrepresentation upon the delay. But may not those who are averse to discussion fairly retort, that if there had been no discussion there would have been no misrepresentation? at least there would have been no

misrepresentation of a declaration which was made in another place, and which was most scandalously perverted for the worst of purposes. This, however, is not the only species of misrepresentation of which I have to complain; the acts, as well as the language of the executive government, have been misrepresented by those who are in the habit of opposing ministers; and to this species of misrepresentation I, in part, ascribe the mischiefs which have arisen. I am ashamed to vindicate the sincerity of ministers against these imputations. It was fully their duty and their interest to be sincere, and there were no symptoms of duplicity in their conduct through the whole course of the transaction. They not only recommended it to his Majesty to pledge his word for what they had provisionally promised, but they sent notice of the measure which was in agitation to branches of the fleet which not under the command of Lord Bridport. Under these circumstances, it is for the House to decide whether guilt is imputable to his Majesty's ministers. As to the present circumstances of the fleet, I am happy in being able to inform the House that, in consequence of the vote of Monday last being communicated to the fleet, the seamen have shown an inclination to return to their duty, and that there is something more than a dawn of hope that order and tranquillity will be soon restored. I am sorry that the state of the weather, which has rendered it impossible to hold frequent communication with the fleet, puts it out of my power to speak with greater confidence upon this subject. I have only to request that, by entertaining improper discussions, the House will not

be so wanting to themselves as again to cloud that prospect which has already opened, in consequence of the wise and prudent measures which they have adopted.

Mr. Whitbread proposed to amend his motion by the introduction of the words "his majesty's ministers," instead of the words "the Right Honourable William Pitt."

The Chancellor of the Exchequer being desired by the Speaker to withdraw, agreeably to the forms of the House,

The question was put upon the motion as it originally stood, which was negatived.

Mr. Fox proposed, as another amendment to the motion, that, instead of the words "in presenting," be substituted "in presenting, or causing to be presented."

The motion thus amended being put,

Mr. Fox spoke to the following effect:—

"I never in my life was more convinced of the propriety of a motion than I am of that which is now before you; and of the expediency of passing it now I am as well convinced. With regard to the propriety of this, I wish those who oppose it would state as specifically the mischief which it will do: hitherto they have only talked of that mischief in general terms. I say generally also, that public discussion is the best security for public welfare, and the best security for the safety of every good government. That energy which is to be had from secrecy, which some persons are so fond of, stands upon the authority of but a few, and they have neither been the wisest nor the best; but they are those who, from age to age, have endeavoured to enslave mankind; and that

have been controverted by the wisest and the best in all ages, as appears by the best histories of this world. I say this generally. But to come to the immediate subject which is now before us, and to apply these general principles to the facts that have appeared. When this mutiny first broke out, was the subject debated in this House? No. It was passed by in silence; and those gentlemen, who are so enamoured of secrecy, had the complete advantage of it, as much so as could have been desired by any favourite, absolute government; for however I may deplore, and however every man in this country may deplore, what has happened, and may have wished that better measures had been adopted for the safety of the nation, yet still it must be allowed that ministers have had all the advantages of the secrecy, for which they are such advocates, as far as regards our proceedings. But there are now exhibited charges against me. I am now accused for not having at first stated the danger of what has lately happened; that I did not at first state the danger of the delay, of which I now complain. Now that the money is actually voted, it is strange that I should complain of the danger. I beg the House to consider this charge. Had I at first stated, that I apprehended that would happen which has actually happened, I ask this House whether gentlemen on the other side would not have said they believed, and would desire this House and the public to believe, that that very prediction of mine had had a considerable share in causing the event; that the variety of statements of dangers in this House contributed to bring about the evil? Mark the impregnable

defence of the minister! here, if you state your opinion of the necessity of expeditious measures, and also the danger of delay, you are said, by your statement, to cause the mischief, which might have been avoided if you had remained silent. But having remained silent, you are told that you have no right to complain in consequence of what has happened; for that you yourself did not foresee it, because you did not tell the minister anything of your apprehension of danger. If you do state your apprehension, you are the author of the mischief; if you do not, it must be taken for granted you yourself had no apprehension of the danger. Let us now apply to the facts. The news of the discontents in the fleet arrived in London on the Monday morning: I happened to arrive in the afternoon of the same day: uninformed as I then was, I thought that we should have before us the transaction with all possible speed: in answer to a question, I was told that a communication would be made with all possible speed. Should not I have been a caviller to have said more at that time? In a few days I did state, that it appeared to me to be important that some measure should be speedily discussed and adopted.

"The whole of the question divides itself into two parts; first, whether there was any cause for any extraordinary expedition in providing a remedy for the evil? for if there was not, I admit that the whole of my honourable friend's motion falls at once. Ministers have contended this, and acted as if they thought there was no cause for extraordinary expedition; in which they differ, I believe, from every man in this House, and every

man in this country. I contend, that if, contrary to the specific facts, there had not happened any mischief, still delay was criminal, because it was highly probable that delay would have occasioned mischief. They should have taken the moment of peace and tranquillity at Portsmouth to satisfy the seamen. They must be ridiculously sanguine, if they expected that the seamen were not likely to be alarmed at the delay which took place. It has been said, that we have not proved that the evil we complain of was owing exclusively to the delay of ministers. It is true, we have no documents to this effect; but the fact is notorious. I ask, what is the cause of our being in a state of comparative rejoicing this day, and why we have a dawn of hope among us? Is it not to be attributed to the measures which have taken place in parliament? Certainly it is. Why then, I ask, if the case be so, is not that a proof that the want of these measures was the cause of the evil? This I state without entering into the question, whether the representations are true or false to any certain extent. Ministers say that the evils are owing to misrepresentations of what happened in another place. Here let us pause. Take it for granted, for the sake of the argument, and for that only, that there have been gross misrepresentations, does any man believe there is a difficulty in finding out the remedy for such gross misrepresentations? Expedition on the part of ministers was the only remedy: had they done their duty, by bringing forward the act of parliament, the effects of misrepresentation would have been comparatively innocent. It is supposed, that persons of great authority said, in another place, they did

not know they should have any orders from his Majesty to make any communication;—that we all know, in parliament, to be correct in point of form, considering the place in which it was spoken, because it is in this House that the measure must originate; this is another signal instance of the folly and ignorance of ministers, for they must know what effect this must have on the uninformed. The minister talks of misrepresentation, and the effect of it; was he ignorant of that effect? He who caused the Habeas Corpus Act to be suspended must surely be aware of the possibility of there being Jacobins, as he has called them, in this country, who would be ready to misrepresent his intentions. I think there are not in this country a sufficient number of such persons to make us shake in our determination to adhere to our constitution; but although I do not think there are enough to do that, yet I think there may be enough to distribute a hand-bill; this he must know as well as any man; then, I ask, was he not criminally guilty for neglecting to do that which would render vain all such attempts, by bringing forward an act of parliament without delay, which was the only effectual way to prevent the evil?

There is another view in which this important question may be considered. I am not going to give any opinion on the negotiation between the delegates of the fleet and the Admiralty, at Portsmouth; but that measure having taken place, it ought to be considered as a negotiation in which there were certain stipulations. No man can be satisfied in a negotiation until the stipulations of it are performed. Why then, I ask, was it

not essential for the public benefit, that this negotiation should be made as short as possible? Has that been done? If you tell me this was only a promise, and time must be taken to perform it, and that the seamen ought to have been satisfied that it would be fulfilled; I answer, that a promise is, in its nature, an incomplete act, and the longer you are in performing it, the more reason do you give for doubting your sincerity. Delay, therefore, upon this occasion, considering all the circumstances, amounts to guilt on the part of the ministers. But it is said, ministers were sincere—I never doubted it; I never thought of making any accusation against them that they did not intend to make good their promise to the sailors; what I complain of is, that they delayed the performance of that promise unnecessarily, in consequence of which some of the best blood of the country has been spilt. Then comes the general answer: "Ministers cannot be guilty of any crime on this occasion; what interest have they in being so?"—I know not what interest any man can have in guilt—I know not what interest any ministers can have in being bad ministers; and yet we know that men have been guilty, and that ministers have been bad ministers; that they have appeared in this world, and I am afraid will continue to appear, and unless there is some controlling power exercised over them, they will continue to do, as they have done, much mischief to mankind. I say that ministers have discovered an incapacity which renders them quite unfit to manage the affairs of this country, and which they will ruin unless this House interposes its authority over them. Will any

gentleman opposite to me deny this? that ministers have heaped upon this country misfortune upon misfortune—that they have committed blunder upon blunder—and that they have very nearly accomplished the ruin of this country? There are disasters and disgraces which, after a long succession, destroy the faculties of the human mind. I take that to be the case of the minister; he is, to use a vulgar expression, "beat blind." That is now his only excuse, his only apology; who but a man who had been so disgraced could have been blind to the consequences of the delay of which he has been guilty upon this occasion? I know I am accused of speaking with too much warmth on many subjects; all I can say in answer to that charge is, that I feel for the situation of this country with warmth, and I speak from feelings of which I think no man ought to be ashamed. Look at what has been done in point of fact in this business. I stated formerly, that on the 23rd of April a letter arrived from Portsmouth. The minister states it to be the 24th. He states, that in one day the memorial was made to the Lords of the Admiralty, and here the minister is correct literally rather than substantially, because the news was known early in the morning, so early, that a memorial might have been presented on the very day the news arrived; but it appears that it was not presented till the 26th, and the order in council does not issue until the 3rd of May. Here is one day entirely lost in this stage of the proceeding—I mean the memorial. In short there is a delay of seven days upon unnecessary points of form, which did not require the delay of as many hours, no nor of as

many minutes. The delay in all is full fourteen days; and reflect on the circumstances that have happened,—nay, what every prudent man saw was likely to happen; and then, I ask you, whether you think that delay was criminal? But it seems this was all matter of chance, for the fleet might have sailed before the last disturbance took place, had it met with a fair wind. Suppose this be granted, then I would ask, ought you not to provide against chances? It was your duty to do so.—Had you done so, you might have converted into a blessing that interposition of Providence, which, under other circumstances, might have been considered as a disadvantage, by retarding the operations of your fleet. By this the evils would have been avoided, and the sailors would have been completely satisfied. But if they had sailed, what would have been your situation? They would have sailed without having been satisfied, and what would have been the effect of insinuations to them against your sincerity in that situation I do not choose to conjecture.

There is another point which makes this matter distressing to me. I do not know how far this business may be said, even now, to be settled. That is a circumstance also of which I cannot help complaining, because we have not a clear fair account of this transaction. We ought to know how far the parties have come to an understanding upon this subject;—what has been granted of what was asked, and what denied or what relinquished. Let us remember that the public have a right to know these facts, because on them depends the question of our future security. The people have a right to insist that we should act with wisdom, which we shall not,

unless we insist on seeing the real danger of our situation. We should therefore show our vigilance and earnest desire to serve the public, by marking the conduct of ministers with our censure. Good God! look at the situation of this country—I have been accused of looking at that situation with a desponding eye. I can say that, looking at the situation of this country six months ago, with the very worst opinion of ministers and the state of the nation, with much diffidence as to the soundness of the constitution after what had been done to destroy it, I thought we were then in the pit of despondency, I could hardly conceive that anything could be worse; but is there a man now alive who does not think that was a state of prosperity compared with the present? Is there a man who, however gloomy and despondent he might have been then, is not much more so now? Look at the state of the country! look at the Bank! look at Ireland! look at your last best hope, your national bulwark, and then reflect on your situation. To what is it owing?—Is it not to this,—That the popular part of the constitution has been sacrificed to the executive?—Is it not owing to the too successful endeavours of the servants of the crown to change the popular branch, from vigilance and jealousy to supineness and confidence in the monarchy? To prevail upon you to think or act, as if you thought that secrecy is better than publicity? To prevail upon you to act, as if you thought, that the road that had conducted you to greatness, must be abandoned, and that you must now pursue another, which will inevitably conduct you to meanness? That your course would have been so rapid in this new road, is what no man would have thought some

time ago, but you see such is the fact. If you think that there was no fault in ministers, vote against the question. But if you think there has been any unnecessary delay in this business, it is your duty, your country demands of you; to throw away any attachment you may have to ministers. If you do not, the most sanguine hope of the most sanguine man in the kingdom cannot even flatter you that you can retrieve your own honour.

Mr. Dundas. The honourable gentleman who spoke last, in the conclusion of his speech, adjured the House to lay aside all partiality for individual men, all views of party interests in the decision they were to pronounce upon the present. I confess, however, that I think it would have been fair, if the right honourable gentleman had likewise cautioned the House against being actuated by animosity or by rivalships; if he had desired them to lay aside every narrow view of seizing ever upon what they may consider as an error in those who conduct public affairs, in order to avail themselves of it for the purpose of serving party designs. Had he done this while he urged the other, his caution would have been more complete and his conduct more impartial. Upon the subject of the transactions which have been the object of discussion, I feel as much ease as can be connected with the consciousness of no blame. That the affair has given me great concern is undoubtedly true. Not a day has passed since the events have taken place in which I myself, and I dare answer for those with whom I act also, felt not the deepest anguish and regret at the situation in which matters stood, but ground for remorse certainly I had none. The right honourable gentle-

man, to the delay which has taken place, applied the epithet of extraordinary; but in this he quickly corrected himself, and changed it for unnecessary—extraordinary delay certainly there was none. The despatch employed was as great as could be used, upon an occasion on which it was not thought necessary to overleap all the ordinary forms of business. Whether there was any extraordinary delay is the question, and it is upon an impartial consideration of the situation in which the affair was thought to stand that I desire the judgment of the House. What has unfortunately since occurred is not to be viewed as a proof that previously any circumstances existed to require extraordinary modes of proceeding. The right honourable gentleman himself never hinted that he conceived it necessary to deviate from necessary forms. The object of his repeated inquiries was to know, not when anything relative to pecuniary arrangements was to be brought forward, but when an opportunity would be afforded of discussing the subject on a large scale. The right honourable gentleman himself cannot deny that this was the object to which his questions pointed; and from the line of conduct pursued in another place, where pecuniary arrangements could not be in view, from the general system upon which gentlemen upon the other side act, which this uniformity evinces, it is evident that neither the honourable gentleman nor those with whom he thinks ever imagined that any extraordinary despatch was necessary with regard to the pecuniary part, and that they apprehended no danger from the delay. Indeed all the reasoning of the honourable gentleman, and

of the honourable mover, were as applicable to the situation of affairs a fortnight ago as now, except as to the facts which have intervened. What is the conclusion? Not that the right honourable gentleman and his friends were to blame, but merely that they themselves, till enlightened by the fact, never apprehended the smallest danger, since now they cannot assign one reason for despatch, which did not equally apply a fortnight ago. I certainly do not mean to depreciate the talents of the right honourable gentleman, much less to say that there is any one more disposed to criticise the proceedings of administration than he is. But take him as a critic, take him as an adviser of government, and a rough one enough certainly he sometimes is; but in either capacity, his conduct, as well as that of those who act with him, proves that they entertained no apprehension. The honourable gentleman, all through his argument, completely begged the question. When the fleet dropped down to St. Helen's, the transactions, as far as they were settled by the vote of Monday last, and the act of last night, were finished; but it is said the disturbances might have arisen again. Certainly it is impossible to reduce within mathematical rules what is likely or what is not likely to take place; what may or may not be foreseen; but assuredly government did not foresee such an event. If the right honourable gentleman had any grounds of information upon which he could foresee, or if even he had reason to suspect, surely if he had so far deviated from his usual practice as to hold any private communication, and forewarn them of the danger, he would not have been guilty of a

very great impropriety. The only conclusion I can draw from his proceedings then is, that he had no ground for suspicion; government thought the matter settled, the admiral at Portsmouth and the officers there thought so too; everything then was done that appeared necessary, while no reason existed for believing that everything was not adjusted. But the right honourable gentleman says, we ought to have been on our guard against the machinations of a French party. I confess I am rather puzzled to know how to treat this argument; I do think that there are many very wicked people in this country, and I have been blamed by the right honourable gentleman for the extent at which I rated the danger to be apprehended from them; now we are blamed for not attaching to them sufficient importance. I hope the right honourable gentleman (Mr. Sheridan), who last night expressed himself so strongly on this point, will not be offended with my panegyric. He reprobated the meanness and baseness of the treason that could secretly sap the bulwark of our strength; praised the open line of conduct, and thought that there might be some apology for the treason in the shape which it assumed; but in all the proceedings which have taken place in the fleet, I ever felt, and often expressed it as the highest satisfaction, that even in the hottest period of the proceedings at Portsmouth, and when the seamen expressed themselves most warmly, not the smallest spirit of Jacobinism appeared. Their expressions, on the contrary, were most ardent for the honour of the crown and the interest of the country. I believe, in fact, that such were their sentiments that they were

incapable of giving way to the doctrine of Jacobinism, and that if any propositions of that nature had ever been made to them, they would have rejected them with indignation. The attack, however, was not made in the way that would rouse their resentment and provoke their indignation. After the transaction with the Lords of the Admiralty was settled, the only point which remained was his Majesty's pardon. No jealousy ever appeared, however, till some, for whose extreme wickedness I can find no name sufficiently descriptive, insinuated to the seamen that the pardon which had been issued in their favour was a forgery. When the conversation which took place on the subject got into the public papers, a new mode of misrepresentation presented itself, and the diabolical malice which laboured to renew disturbance changed its mode of attack. It was represented to them, with the most abominable wickedness, that their bill had been thrown out by Parliament; but no idea that it was the intention of the executive government to deceive them was ever entertained. Ministers, who upon such an occasion had every motive to vigilance, and who were not less vigilant than other men would have been, saw no reason for suspicion. But even had the vote taken place, who will say that some other ground of misrepresentation might not have been employed? Who will say that the same malice, that could so grossly misrepresent what was done, might not have employed other diabolical arts to effect its purpose? The vote of the House would produce a good effect, because it proved to the seamen that they had been the dupes of gross imposition. The negligence of

ministers, therefore, was a common error, for they as well as others entertained no suspicion of danger. Nor could any extraordinary despatch have been of any advantage but as it might have prevented misrepresentation, for the sailors could not entertain a doubt of the intentions of the executive government. The agreement was already acted upon, and they immediately entered into possession of what it bestowed. If it can be shown that ground of suspicion did exist, I do not contend that there is not reason for censure; but till that can be established there can be no ground for blame. The honourable gentleman says that it would have been better for the fleet to have put to sea with the conviction that everything was settled. But this is merely begging the question. Were they not going to sea on this conviction? What afterwards arose was occasioned by the gross and wicked misrepresentations of diabolical incendiaries.

Mr. Whitbread made reply to the arguments against his motion. It was said that the mutiny was at an end, and the association dissolved after the agreement with the Admiralty was concluded. But was this the fact? When the fleet was under weigh on the 28th of April, were there not three ships that remained in a state of disobedience? Had not delegates arrived from Plymouth, and did not the association subsist? It was the duty of ministers, therefore, to have put an end to the combination, as soon as possible, by ratifying the transaction. If sooner ratified, misrepresentation would have been prevented, and if the fleet had sailed, attempts to deceive them would have been in vain. As to the form of his motion, he

was decided. It was principally directed against the Chancellor of the Exchequer, as he was the prime mover and director in his Majesty's councils; the rest he considered as subordinate and subservient to him. Ministers then had neglected their duty, and the House would shamefully neglect their duty if they allowed such conduct to pass without censure.

The House then divided:—

For the motion 63
Against it . . . . . 237—174

Adjourned.

CHAPTER V.

ALTHOUGH the resolution and the Act of Parliament were both sent down to Spithead, yet they failed in soothing the irritation of the fleet. The seamen seemed better pleased with reading Fox and Sheridan's speeches, than with the long-expected settlement of their claims. Nevertheless a better temper prevailed, and the fears entertained for the fate of Admiral Colpoys and Captain Griffiths subsided; in fact, they were shortly afterwards released from their confinement and sent ashore. The gates of the garrison at Portsmouth were shut, and the drawbridges taken up; at sunset field-pieces were planted at the Point gates, to flank the landing-place at the New Sallyport; and every precautionary measure was adopted to defend the garrison, as though a siege had been apprehended. The bodies of three seamen, who died in Haslar hospital in consequence of the wounds they had received on Sunday, on board the London, were buried in Kingston churchyard, after the coroner's jury had sat upon them, and returned a verdict of "justifiable homicide." The authorities wisely threw no obstacles in the path of the sailors, to prevent their paying all honours to the dead. Every opportunity was seized of proving to the seamen the regard in which they

were held by the nation. But how shall we esteem the honour and equity of a people who waited to show to their defenders the real amount of gratitude due to them, till the admission was wrung from them by a moral convulsion which shook society to its core! The bodies were brought from the hospital to the Common Hard in the London's launch, with the colours half-mast high; they were carried thence in solemn procession to the churchyard, through an immense concourse of people assembled at Portsea, Halfway House, and other places, to witness the proceedings. Two colours preceded the first coffin, and one each of the others, half-struck; fifty of their shipmates followed two and two, together with nearly as many women in black; and six women walked on either side of each coffin. Such were the funeral honours paid to the three first victims of the mutiny.

A happier and tranquil spirit, after this violent outbreak of passion, seemed to prevail over the fleet. Deputations from several of the ships went on shore, with invitations to their officers to return and resume their command. These were warmly extended to Admiral Alan Gardner, to induce him to comply with their wishes; but as objections were made to his three lieutenants, he sillily refused, until these officers should be permitted to accompany him. We have seen that the admiral himself was not the most gentle or reasonable commander, but if the tolerant seamen could forgive faults like his, what must have been those of his objected officers?

On Wednesday afternoon Government sent Lord Howe to Portsmouth, charged with extraordinary powers from the king, for the final

settlement of the whole matter in dispute. It was confidently expected that his humane disposition, eminent qualities, and deserved popularity, would give him a weight and influence greater than that of any other individual. The men whom he would have to conciliate had been his companions in arms, the sharers of his dangers, and the participators in his triumphs. His name was associated with proud and gallant recollections; the glorious victory of the 1st of June, 1794, was still fresh in the memories of all whom he would address; and notwithstanding the temporary cloud and misunderstanding that had interposed between himself and the sailors, in consequence of his rejecting the round-robin petitions, yet it was justly anticipated, if he should appear upon the scene, as a mediator between the suspicions of the seamen and the good intentions of the country, success must inevitably crown his efforts. The noble admiral, upon his arrival at Portsmouth, accompanied by Sir Peter Parker, Admiral Gardner, and other officers, embarked in a barge for St. Helen's, and immediately went on board the Royal George, Lord Bridport's flag-ship. He entered into conversation with the crew, and reasoned with them for three hours upon the subject of their grievances. He said that he had undertaken to interpose between them and his Majesty, for a pardon and oblivion of all that had happened, upon conditions just and necessary to the future order and strength of the service. These conditions were, a solemn submission to their officers, and an engagement, made through their accredited organ, the delegates, that they should hereafter co-operate with their commanders in enforcing subordination, and in

checking the first appearances of mutiny. They represented themselves to be perfectly satisfied with his explanations and promises; but they informed his lordship that they could not answer for the crews of the other ships, and recommended that he should visit each in succession. In the mean time, the ship's company of the London stated to Admiral Colpoys their wish that he should leave the ship and go on shore. The barge was manned, and the admiral, together with Captain Griffith and the chaplain, the Rev. Mr. Cole, stepped into it. The men parted with their commander with a great show of respect, and many of them openly expressed a desire to see him soon back again.

But the good feeling thus evinced was far from being unanimous. When the news of Lord Howe's arrival became publicly known, the most strenuous efforts were exerted, by a small portion of the disaffected, to maintain insubordination both on land and at sea. The reproach due to this crime cannot, however, be laid to the seamen of the fleet as a body. The delegates of the Royal George, in a very orderly and respectful manner, waited upon the captain of the Royal William, to entreat him not to suffer the frigates and smaller ships to be running backwards and forwards to St. Helen's, as had been the case for some days past; for that now everything was quiet and peaceable in the fleet, with the exception of the Duke and Mars, whose crews had been detected in the act of carrying on a traitorous correspondence with some people on shore. When this discovery was made, all the crews which had

two ships to haul down the flag of defiance: this they positively, and in contempt of the whole fleet, refused to do, obstinately nailing the red colours to the mast-head.

The sailors on board the Duke requested a conference with the delegates, who complied with their wishes. Attempts were made to engage the delegates in further acts of disobedience; but they were rejected with indignation, and, after some time spent in fruitless altercation, the committee abandoned the ship to her fate, with an exhortation not to provoke punishment by vexatious resistance. The mutineers, however, finding that matters were in a train of adjustment, sent two of their boats alongside several of the ships, with the design of exciting them to fresh disturbances; but none of the crews would permit them to get on board; and at the last shouting and hissing, with a torrent of abuse, greeted them as they rowed through the fleet upon a fruitless errand. Guard-boats were immediately stationed around the Duke and the Mars, to cut off all intercourse except such as might be allowed by orders of the admiral.

A second deputation from the crew of his ship waited upon Sir Alan Gardner, desiring his forgiveness, and requesting him to return on board the Royal Sovereign with all his officers. He was received upon the quarter-deck with three cheers from the ship's company, whom he addressed in a very pathetic speech, telling them his determination to see all parties, both officers and seamen, treated with justice. He also expressed a hope that the future good conduct of the men

The following address was published by the crew of the Robust; which address, it must be confessed, is as singularly free from grammatical restraint, as from affectation or duplicity.

Robust, May 11, 1797.

The favours and goodness our officers confer upon us, are such as can be equalled by few officers in the fleet; and that is our just and grateful sense of the officers of his majesty's ship Robust. Is there a man so poor in spirit, that praises such as we have without imitating the actions worthy of them?

How pleasant would be the toils of war, did all employed in it meet with the same recompense! It is our deeds alone render us worthy their indulgence, and preserve their good opinion. To inform you with how much ardency we wish to serve them, if ever accidents fall in our way, we are thoroughly resolved to lead them into the paths of glory; and they might rest assured that all of us will rejoice in an opportunity of testifying our duty, affection, gratitude and submission, which we flatter ourselves they will not hereafter disapprove.

We are, with the utmost respect and submission,

Your Honours' eternally devoted servants,

ROBUST Ship's Company.

On Friday Lord Howe visited most of the ships, and succeeded in disarming the crews of prejudice and suspicion; as the last step towards completing his negotiations, he made an appointment to meet the delegates the next morning, on board the Royal William. At eleven o'clock a signal was made to Sir Peter Parker, who imme-

diately went on board, followed in a few minutes by Lord Howe. The delegates sat in the gun-room, deliberating for some little time, and afterwards repaired to the cabin, where Sir Peter and his Lordship received them, attended by Captain Pickarne and the Secretary. The two venerable admirals conversed with the committee for several hours, and at length brought them to a sense of duty and obedience, after giving them an assurance of the king's pardon, and promising that the late transactions should not at any future time be made a matter of reproach against them. It was also stipulated that some few officers, mentioned by name, should not be forced upon the fleet; this point was maintained with great firmness; and lastly his lordship pledged his honour, that in future any petition for redress of grievances, temperately stated and properly signed, should meet with serious and ready attention.

The fleet now only waited for his majesty's pardon to put to sea: but, to the consternation of the admiral, a new difficulty suddenly presented itself in the appearance of Sir Roger Curtis' squadron off St. Helen's from Torbay. We have before stated that the delegates had despatched a frigate to Plymouth to order the ships at that port round to St. Helen's; and also that the Admiralty had sent instructions to Sir Roger Curtis, commanding him to put to sea at all hazards. The delegates, however, outstripped the government and effected their purpose. Upon the arrival of the squadron a deputation visited the seamen, and informed them of all that had taken

settled : at the same time it was represented, that they, in common with Lord Bridport's fleet, expected to have certain obnoxious officers removed from command.

Four captains, eighteen lieutenants, one major, and four subalterns of marines, retired in consequence of the remonstrance of the delegates. Captain John Child Purvis was appointed to the command of the London ; John Miller to the Terrible ; John Eaton to the Marlborough, and George Shirley to the Megæra fire-ship.

The ship's crew of the Mars, finding all their designs frustrated by the unanimity of the rest of the fleet, issued an address in extenuation of their conduct :—

"Our intentions," they said, "were to act with the fleet : nor had we any other intentions, being convinced our grievances would be redressed. As to our captains and officers, we esteem and respect them for their humane behaviour, and consider ourselves as happy with them as with any other men in the service. We also beg leave to remark, that no set of men in his Majesty's service are more attached to their sovereign and country, and to defend their cause to the last drop of their vital blood, than are the

SEAMEN of the Mars."

The delegates requested permission, after the king's pardon should have arrived, to row in procession to St. Helen's, attended by bands of music, and there to return Lord Howe public thanks for his services, and for his conciliatory behaviour

Howe went on shore in the port-admiral's barge, having entirely succeeded in effecting the wishes of government. He was received by Sir P. Parker and an immense multitude with heartfelt applause and satisfaction. On the Parade he was met by Lady Howe, Sir W. and Lady Pitt, with several officers of the garrison, and the whole party passed on to the Governor's house. At the door, Joyce, one of the principal delegates, approached Lord Howe, and requested to know at what hour the next morning he would be pleased to embark? His lordship replied, their time should be his; and seven o'clock was fixed, as the tide would serve at that hour. Joyce, next turning to Lady Howe, begged to know whether she would honour them with her company, assuring her ladyship of perfect safety and freedom from apprehension. She replied, nothing would give her greater pleasure than to accede to their request, which she did with the utmost confidence and satisfaction. Lord Howe invited Joyce into the Governor's house, to drink a glass of wine, which invitation was readily accepted, "with a manly freedom, unaccompanied by the least particle of familiarity or rudeness." This seaman, whose politeness made a most favourable impression upon the writers of the day, had been a tobacconist at Belfast, where he was shipped on board a tender, with many others, by the order of Lord Carhampton, under an accusation, true or false we cannot say, of treasonable conduct and seditious harangues. A brother delegate was a man named Evans, formerly an attorney, who had been struck off the rolls, on account, it would appear, of various malpractices among his Wapping clients.

The triumph of the seamen's cause, in which they were the chief movers, threw a halo of glory about their characters, through which the blots of former indiscretions seemed to be altogether invisible. On Sunday evening, the following pardon arrived :

By the Commissioners for Executing the Office of Lord High Admiral of Great Britain and Ireland, &c.

Whereas his Majesty has been most graciously pleased to issue his royal proclamation, dated the 11th instant, and thereby to declare that all such seamen and marines on board any ships of the fleet who may have been guilty of any act of mutiny, or disobedience of orders, or neglect of duty, and who have returned, or shall, upon notification of such his majesty's proclamation, return to the regular and ordinary discharge of their duty, shall be discharged and released from all prosecutions, imprisonments, and penalties incurred by reason of any act of mutiny or disobedience of orders, or any breach or neglect of duty previously committed by them, or any of them.

And whereas it is our intention, that on no occasion hereafter the minds of the seamen and marines to whom the benefit of the said proclamation has been extended, shall be disquieted by any reproof or reproach in respect of all or any such acts of mutiny, disobedience of orders, or breach or neglect of duty as before-mentioned, but that a total oblivion of such offences should, as far as possible, obtain in consequence thereof: we have therefore thought fit, by these our orders, to signify such meaning and intention to the several flag-officers, captains, and commanders, and all

the subordinate officers in the fleet; and they are hereby required and directed to conform to these our orders and intentions accordingly.

Given under our hands the 14th day of May, 1797. SPENCER.—GAMBIER.—YOUNG.

To the several Flag-officers, Captains, and Commanders of his Majesty's Fleet.

By command of their Lordships,
MARSDEN.

Early on Monday morning the delegates landed at Sally-port, and marched up to the Governor's with a band of music, playing alternately 'God save the King,' and 'Rule Britannia.' They were instantly invited into the house, where they partook of refreshment, and appeared publicly in the balcony. In about an hour the boats were manned to receive Earl Howe; and at eight, his lordship, accompanied by Sir William Pitt, General Cayler, with their aides-de-camp, preceded by the ship and marine bands of music, embarked at the Sally-port, where they were received by all the boats' crews with three cheers, and left the shore under a salute of ordnance from the platform.

The following was the order of the procession:

1st boat. A union-jack at the fore, with a band of music.
2nd. The Royal William's barge, with Earl Howe.
3rd. The governor, lieutenant-governor, and their aides-de-camp.
4th. Lady Howe, Lady Pitt, and other ladies.
5th. The marine band of music.
On each side, a-head, a line of the ships' boats, the crews arrayed in their dress clothes.

Upon their arrival at St. Helen's his Lordship visited the several ships, and received the formal thanks of the crews for his kind interference. On

his return he went on board the Prince, the flag-ship of Sir Roger Curtis' squadron. Mischief was here apprehended in some quarters, but, although the arms were in the hands of the ship's company, his Lordship was received most respectfully, and attended by a guard of honour. After he had been on board a short time, the ship displayed the union and standard under a royal salute, as a signal of the restoration of perfect order and obedience. At six o'clock in the evening Lord Howe landed at the Sally Port, amidst the acclamation of the largest concourse of people ever assembled at Portsmouth. The enthusiasm of the sailors exceeded all bounds—the venerable admiral, who was infirm under a weight of years and honours, was carried, on the shoulders of the delegates, to the Government-house, where he and his lady entertained them at dinner. With this crowning and most noble service to his country concludes the career of Earl Howe. Thrice fortunate among men, brilliancy and utility shed double glory on his exploits, and even Fate for once relaxed her stern decrees to grant him length of days. Blessed as he was with the opportunity of performing high and heroic achievements, still more was he favoured with the happiness of seeing them appreciated and rewarded—no inconsiderable ingredient to renown and fame, when we reflect how many an able and brave spirit, adequate to the highest offices and the most trying emergency, has "felt the influence of a malignant star," and fills at once a noteless and an early grave!

The constitution of Earl Howe had long been feeble; and, either hastened by the excitement of the time and his own exertions, or from the un-

avoidable decay of nature, his lordship did not long survive the peaceful triumph of Spithead. But the benefit of his efforts was eternal. With renewed alacrity and good feeling, the fleet, after many baffling winds, put to sea on the 17th instant, in search of that enemy who, we trust in Heaven, for times future as in those past, will never be able to encounter "Old England's flag" upon the seas, except to fly or fall.

To this desirable because just termination arrived the Mutiny at Spithead; and the fears it had excited at home were now to be transferred with redoubled zeal and courage to the legitimate enemies of the British empire. But no one, who has attentively read the account of the proceedings, can fail to see how lasting and indelible is the blot this crisis leaves on the fame of the Prime Minister of the day, both as an upright or a great statesman. As it is notorious that Mr. Pitt was the alpha and omega of his cabinet, there can be little injustice in holding him responsible for the deeds which his subordinates in form propounded; and if not, the greater then the treason his, if a master-spirit like his, at such a crisis, could trust to less able hands the imperilled helm. Either the seamen's demands were just or unjust. If the former, they deserved instant acquiescence; if the latter, refusal and punishment. Instead of this simple alternative, behold the childish and timorous, nay even criminal behaviour of the government at a crisis of such awful magnitude to the country, and to the service itself. The indecision with which the remonstrances were first of all treated—then the weakness with which all demands were granted piecemeal, not because of

their intrinsic justice, but from apprehensions of fatal disaster, if refused; the bartering, huckstering, and tampering system employed to quiet the commotion in the fleet could not fail in shaking discipline to its centre, although the temporary expedient might be crowned with success. No disposition was evinced to meet the sailors upon fair and honourable grounds. No discussion of the justice or impertinence of their claims was provoked, but every concession was extorted by terror, when nothing should have been granted except upon the broad and intelligible grounds of reason, benefit, and right. But the *Mutiny at Spithead* was only the cloud, the size of a man's hand, compared with the tremendous storm which was about to blacken the horizon; and if we have hitherto found cause to blame the Executive for dishonest folly, and to praise the seamen for moderation and forbearance, the subsequent pages of this history will perhaps raise the question, which party was entitled to this relative position, or if upon the whole transaction it can fairly be allowed to either.

CHAPTER VI.

THE immense power which had been displayed by the mutineers at Portsmouth, and the ready acquiescence of the nation to their demands, might naturally have been expected to disturb and agitate throughout every part of our fleets, those feelings of restlessness and discontent, which a hard and trying service, in a long war, unavoidably must engender. Accordingly, on various stations symptoms of mutiny showed themselves at intervals, and were only subdued by an admixture of reason and firmness. For some time apprehensions had been entertained of growing disaffection in the fleet at Sheerness; and the justice of these fears was sadly confirmed by a positive outbreak on the 10th of May. At first it was confidently anticipated that this mutiny would be effectually extinguished, so soon as the seamen should be informed that the mutiny at Spithead had terminated in the full and complete acquisition of all that had been desired. Unfortunately these hopes were never realised.

The Inflexible, of seventy-four guns, was lying in the Medway, and on board this ship the first symptoms of the mutiny were discovered, but suppressed by the conciliatory exertions of the officers. In the course of a few days,

according to some accounts on the 10th, and to others on the 12th, the crew of the Sandwich broke out into open mutiny. On board this ship was then flying the flag of Admiral Buckner, and on the orders being given to clear hawse, preparatory to unmooring for sea, the crew mounted into the rigging, and gave three cheers, as a signal that they threw off the yoke of obedience to their officers, and declared themselves, for the time being, their own masters; a sign of mutiny which had been, as we have seen, previously practised during the outbreak at Spithead, even if of no older existence in the navy.*

Having taken this decisive step, the crew held a council together and appointed delegates; the latter ordered Mr. Justice, the first lieutenant, another officer of the same rank, and two masters' mates, to quit the ship for the shore. These orders being complied with, the delegates next proceeded to the man-of-war lying next to the Sandwich, and having called all hands, and requested them to point out the most obnoxious officers in command, these immediately received orders to land. Delegates were then appointed throughout the fleet, and the crews remained possessed of the authority on board every man-of-war there lying. Among the officers thus dismissed from their post, were the first, second, and third

* It may be noted as a singular coincidence that both these mutinies broke out on board ships distinguished for having borne the flags of two of our most celebrated admirals: at Spithead, on board the Queen Charlotte, the flag-ship of Earl Howe, on the 1st of June; at the Nore, on board the Sandwich, the flag-ship of Lord Rodney at the taking of St. Eustatius, where her flag-captain and captain of the fleet, Captain Walter Young, lost his life.

Lieutenants, with the master and surgeon of the Inflexible, together with the master and boatswain of the Asturia frigate, and a lieutenant and master from the L'Espion, and together with numerous others against whom similar objections were entertained by the seamen.

Even at this early period of the outbreak, it must be stated, in justice to the mutineers at Spithead, that they seized the first opportunity after gaining their own demands to send to their brother seamen at Sheerness, and to make them acquainted with the fact.

It is fortunate for those to whom the accidents of birth and station have given the coveted difficulty of ruling, that jealousy and many similar sources of disunion must for ever intervene to prevent the powerful many from throwing off the yoke of the few, beneath which they are often so unjustly made to bend. At this period of English history the party in power were supported by an unreformed Parliament, the majority of which was composed of men as notoriously open to disposal by traffic, as the slaves whom they allowed to be bought and sold in the markets of their own colonies. An opposition, weak in numbers, but overwhelmingly powerful, if ability could have decided the contest, strove by every exertion to defeat the minister; who, either from a love of power, a most mistaken policy, or a culpable deference to the wishes of an unenlightened monarch, had plunged the nation into a war in which the expenses of Europe were borne by England, while all the advantages of victory were withheld from her.

Defeated again and again, by majorities as cor-

ruptly obtained as they were restless in their evil influence, the people throughout the kingdom evinced a knowledge of their position in being thus helplessly sold to a venal oligarchy. Rebellion in Ireland, revolt in the army, mutiny in the fleet, and disaffection in the people, were the various symptoms that appeared on the surface of the body politic, to indicate the deep-seated nature of that cancer that was preying on the vitals of the constitution.

From the slight vistas that have occasionally disclosed to us the politics of the day, we already know how embittered was the spirit of discord between the various parties in the state; neither can it be supposed that where such obvious ground was given for discontent, that many of the uneducated people did not lose sight of those just bounds of opposition which are necessary to a flagitious government, and rush into the extreme of republicanism, to the rise and progress of which so strong a stimulus had been recently given in France.

Through many of the best informed circles of the time, a strong belief was entertained, that the mutineers at Sheerness were encouraged, abetted, directed, and even subsidised by the more violent of the liberal party on shore, then designated under the title of Jacobins and Radicals. Subsequent expressions also of some of the delegates would seem to strengthen this belief. Among a second party much acceptance was given to a report that the French, with their usual cleverness of intrigue, had contrived to send on board our fleets instructed emissaries, in order that these might fan the flame of discontent, of which our enemies were

to be ready to take advantage. If such really were the case, no further research is necessary to account for the continuance of the mutiny at Sheerness, after the demands granted by the Parliament and Government to the seamen at Spithead.

A careful investigation, however, of the facts, warrants us in coming to a decided conclusion that no such participation in their excesses was ever had by any party on shore whatever; nor that any means were ever used by the French government of the day in fomenting these internal discords of our state. That they formed to our enemies a matter of equal rejoicing and hope, cannot be doubted, since the moment that shall see England's power paralysed upon the sea, will reduce to a state of comparative insignificance what must otherwise continue the foremost nation of the world. The events of the period appear to have combined with the real wrongs of which the British navy had, and still have, to complain; and like the sea beating upon the coast which they guarded, the surge of the troubled waters extended to Sheerness, although the wave itself had already discharged its first violence on the Hampshire shore. A degree of jealousy at the honours paid to the delegates at Spithead, arose to give embittered poignancy to long-endured discontent: the result of this irritable combination was a temporary outburst of violence, to which all things are subject, from the earth which has its volcanoes, and the ocean its ripples, to the heavens which are purified by its lightnings. It cannot be doubted that every part of our fleets had long severely suffered beneath the command

desire should exist to get rid of these was most natural. It has already been stated that the articles of war, by which the discipline of the navy is governed, should rather be termed articles of blood, so odiously severe and unreasonably sanguinary are they in their penalties and force. As if this objection against them were not sufficiently strong, they are moreover administered by the very class of men against whom the seamen at this time had bitter cause to complain—their officers. The only court known to naval law by which wrongs could be redressed and injuries punished was a court-martial. Under the blood-thirsty enactments to which we have alluded, these courts-martial were composed exclusively of admirals and captains, and if the party tried was of this rank, there naturally arose a prejudice of the court in his favour. On the contrary, if the party complaining were beneath this rank, there naturally arose a prejudice of the court against him. All the oaths that were ever taken by mankind are insufficient to turn back the current of the human heart; this bias might have been detected from the moment such laws were framed, and has, at least, been most abundantly made evident in numberless instances that have since occurred. So perfectly well known has this feeling ever been, and so prevalent does it still continue to be in the British navy, that an axiom has been generated from long experience of its truth—that no man, however completely in the right, can safely venture to bring a charge against a superior officer without being irretrievably ruined in the service.

That the barest semblance of justice can be retained under such an iniquitous system is impos-

sible, or that it is to be borne without murmuring by any but a set of helots, is equally unnatural. Yet this view, dark as it is, only partially discloses the horrors of the system of naval discipline. Not only is the trial by court-martial preposterously ridiculous of everything like common rights, but every party complaining of a superior is forced to transmit his demands for redress through the hands—very often—of the superior who has wronged him; by this channel it reaches, on the home station, the Admiralty, or abroad, the commander-in-chief. The parties to whom appeal is thus made, have arrogated and maintained the right of either granting or refusing a trial, according as their own private views, feelings, or interests might dictate. It may easily be imagined to what a brutal state of tyranny such monstrous power would give rise, even when exercised over a class of thoroughly educated men. Let reason then be applied, to inquire to what pitch of insolent oppression—to what unbearable yoke it must lead, when the parties ground down by it were chiefly uneducated unlettered persons, scarcely able to tell a tale consecutively, certainly unequal to speak their own language correctly; the great majority of them unpossessed of so much knowledge as would enable them to write their own names, and all fettered and weighed down by those feelings of distrust and awe which it is the baleful prerogative of ignorance to exercise even over the noblest intellect. The climax to this thrice-revolting mode of government has yet to be told. Whenever, by any interposition of Providence, some unblushing tyrant, after an uninterrupted career of cruelty and power, committed some crime so

flagrant, that not even the abettors of this system could pass it over—whenever the long reluctant hand of authority was obliged to order the criminal to his trial, and even his prejudiced compeers were unable to acquit him—when all these too-rarely concurring events of Providence brought about that extraordinary effort of justice, the cashiering a culprit from his rank, the convict retired awhile, it is true, from the command which he had disgraced; but some parliamentary or other influence was always ready to be made with a corrupt minister; and after a temporary secession and most inadequate punishment, he was restored to that rank which he had so infamously abused, and in which he was again placed to enjoy the opportunities of torturing one of the most valuable, best-disposed, and ill-requited classes in the kingdom; to goad forward courageous men to acts of mutiny, treason, and disgraceful death—and to place the empire of Great Britain in a state of peril which it had never known before, and which, under Heaven, it is to be devoutly hoped it may never again be doomed to know.

At the time of the Mutiny of the Nore these facts were very little known; all those more fiery spirits who winced under these wrongs, and would have given their lives to have exposed them, were made to pay the price without obtaining the object of their desires. Like Uriah, they were placed in the front of the battle, or sent to a pestilential climate, or retained virtual prisoners on board, until death, that entrusted and confidential friend of all tyrants, silenced their testimony. The journals of that period were still labouring under former fetters, and had not yet gained that

information, vigour, and boldness, which now dissects and remedies defects and abuses in however high or otherwise inaccessible a quarter. Utterly impossible as it would have been for any man to have obtained correct knowledge of the interior mechanism of the navy, unless he had been so unfortunate as to have suffered beneath its complicated horrors, it may be readily supposed how utterly unacquainted with many material parts of their subject, must have been those writers who commented on the Mutiny at the Nore, many of them without having ever beheld even the exterior form of a man-of-war.

It has only been when a writer with the ability, freedom, and opportunity of Smollett has come forward, that any real insight has been obtained into the iniquities practised on the seamen afloat. Several years had elapsed since the publication of that writer's well-merited castigation of naval oppression; the effect had been partially forgotten; the interest of numbers had led them to deny the truthfulness of his pictures; and few of those who blamed the erring but unfortunate seamen of the Nore, could have believed that they suffered under aggressions little less outrageous than those which are depicted in Roderick Random as occurring in 1741.

The writer, however, who records the events of the past for the benefit of the future, is bound to give the whole truth: and no knowledge of the fury which these details will excite among a prejudiced part of the profession, can induce any suppression of the real causes of discontent which had been working in the navy for centuries, and only found a tardy though dreadful outbreak when

all hopes of any other mode of redress had long vanished. And here, let no one for a moment so misrepresent our object as to assert, that our remarks tend either to justify or encourage mutiny or insubordination: the intention of thus openly stating the grievances under which the navy has been and still is labouring, is exactly the reverse: in order, namely, not only to do justice to the dead—the first duty of an historian, by speaking the bold and naked truth, but to afford to public opinion at large, that ground on which to direct its resistless power, and so, by a timely remedy of the evils of the British naval system, remove every possible cause of mutiny and disaffection for the future.

In addition to the strong discontent excited by the tyranny of certain officers, the difficulty of bringing them to punishment, and the forced return of those officers into command, after that punishment had been tardily pronounced, another fertile cause of complaint, originating from the same spirit of favouritism, had long been existing in the service. This was the unequal distribution of prize-money; and that it may not be supposed that we have overrated either the one cause of complaint or the other, it may be as well to give here a few notorious instances of the abuses of power to which we have been alluding.

A captain, in the spirit of uncurbed authority, the natural result of the odious system of the navy, had thought fit to turn one of his crew on shore on an uninhabited island. In all human probability and reasoning this was an act condemning the unfortunate wretch to one of the most slow and cruel deaths which it is possible for the mind of

man to conceive: either a death by want and destitution, or by the fangs of any savage animal of the spot that might make the unhappy being its food. Had the deserted man died, there can be no doubt that the laws of England would have treated and executed the captain as a murderer. Will future times then believe, that this officer, after being dismissed the service, was reinstated in that rank which he had turned to such a purpose? Yet such a reinstatement did take place.

A captain and a first lieutenant were broken for cruelty, the captain in ordering and the first lieutenant in executing, outrageous punishment on the seamen. Both these officers, to the disgrace of the minister, were restored to their rank; the first lieutenant was employed again; and it is unnecessary to add, that, unreformed by experience and punishment, his habits and conduct were as tyrannical and unjust as ever. Two officers, a captain and a master, tried each other by a court martial, for various causes; by the sentence of the court both were dismissed from the service. The captain in the course of the day was reinstated in his rank, but on the master repairing on shore, he found a pressgang waiting to receive him, and impress him as a seaman before the mast of that ship, in which he had lately served as an officer; from this outrage he was only protected by a timely warning of the intended violence, and the consequent production of his appointment as a captain of a merchant vessel with which he had fortunately provided himself.

A captain of a man-of-war, being incensed with his crew for not reefing topsails within the exact moment which his impatience desired, ordered

down from the yards the whole of a set of topmen, and flogged them every one by lantern-light —it happening to be night when the reckless passions of this despot were thus allowed to find free vent, and not even the few hours till the usual time of punishment, the next forenoon, were allowed to intervene!

Yet these are but a few out of numerous other instances which speak for the manner in which naval officers could be tempted with impunity to outrage their authority, and the way in which such outrages were countenanced and encouraged by the Ministers under whom they served. With regard to the other portion of complaint in the fleet, it will perhaps suffice to show what cause the seamen had for being dissatisfied, if we instance the distribution of the Parliamentary grant of money with which the Battle of Navarino was rewarded, in more modern and, therefore, we may suppose, more reformed times of the navy: and which was ordered to be distributed in the usual proportions of prize-money — namely, as follows:

	£.	s.	d.
To the Admiral commanding .	7800	0	0
To the able seaman . . .	0	19	0

But in dealing with two of the most prominent causes of discontent operating in the fleet at the Nore, after all the grievances had been redressed at Spithead, we have, perhaps, somewhat anticipated our recital of the manner in which the mutineers put forth their claims, and endeavoured to induce the government and the country to comply with them. The first manifesto which they published of

their desires was on the 20th day of May, as follows:—

Article 1. That every indulgence granted to the fleet at Portsmouth, be granted to his Majesty's subjects serving in the fleet at the Nore, and places adjacent.

2. That every man, upon a ship's coming into harbour, shall have liberty (a certain number at a time, so as not to injure the ship's duty) to go and see their friends and families; a convenient time to be allowed to each man.

3. That all ships before they go to sea shall be paid all arrears of wages down to six months, according to the old rules.

4. That no officer that has been turned out of any of his Majesty's ships shall be employed in the same ship again, without consent of the ship's company.

5. That when any of his Majesty's ships shall be paid, that may have been some time in commission, if there are any pressed men on board, that may not be in the regular course of payment, they shall receive two months advance to furnish them with necessaries.

6. That an indemnification be made any men who have run, and may now be in his Majesty's naval service, and that they shall not be liable to be taken up as deserters.

7. That a more equal distribution be made of prize-money to the crews of his Majesty's ships and vessels of war.

8. That the Articles of war, as now enforced, require various alterations, several of which to be expunged therefrom; and if more moderate ones were held forth to seamen in general, it would be

the means of taking off that terror and prejudice against his Majesty's service, on that account too frequently imbibed by seamen from entering voluntarily into the service.

The Committee of Delegates of the whole Fleet assembled in council on board his Majesty's ship Sandwich, have unanimously agreed that they will not deliver up their charge until the appearance of some of the Lords Commissioners of the Admiralty to ratify the same.

Given on board his Majesty's ship Sandwich, by the Delegates of the Fleet, 20th May, 1797.

The fleet at the Nore, by the delegates on board which the foregoing articles of demand were signed, was composed of the following vessels of war, Sandwich, Montagu, Director, Inflexible, Belliqueux, Standard, Lion, Nassau, Repulse, Monmouth, Isis, Tisiphone, Swan, Inspector, Grampus, Proserpine, Brilliant, Champion, Comet, and Pylades.

On the publication of their manifesto, the first difficulty which the mutineers had to encounter was the fact of their first article being supererogatory, since it was obvious that the advantages granted to the ships at Spithead included the whole navy of the kingdom. The second point operating against them was the promise put forward and redeemed by the Spithead mutineers—that no further grievances should be received after their first demand, in order, to use the language of their manifesto, that the country might see that they knew when to pause as well as when to ask. It may naturally be argued that the fleet at the Nore were not to be bound by any guarantee

given by the fleet at Spithead; they certainly were the best judges of any sufferings under which they might labour; and to all the efforts made by delegates from the Spithead fleet, who were sent to persuade them to return to their duty, they were consistent in the only answer they gave, reproaches, namely, on the Spithead mutineers for not having obtained a final settlement of their just rights when once they had commenced the struggle, and one rising would have sufficed for all, instead of only half effecting the object in view.

Leaving aside for the present the truth or injustice of these remarks, to the public mind, this second series of demands, after considerable concessions had been already made, carried on the face of it the groundwork of a strong objection and prejudice. Many timid people, instead of looking at the innate justice of what was demanded, saw only the danger with which the country was threatened if the enemy should put to sea; and this notwithstanding the assertions of the Nore Fleet, which, like that at Spithead, they repeatedly made, of their determination to pursue the enemy should he venture from port. These one-sided and apprehensive tremblers for their own welfare, could only ask themselves the question of—when are these demands to cease? instead of putting the more liberal and rational query of—what is the just and equitable basis on which the first and most important force of the empire is to be governed? In support of these objections, came the additional and most powerful one of all; that the mutineers at the Nore had erred in one extreme as much as the mutineers at Spithead had fallen short on the other. Their demands were

too many, and embracing subjects too greatly wanting in importance to be the objects of such a convulsion.

Now, however, that the prejudices, the excitement, and the fears of this momentous crisis have passed away, we may fairly analyse the demands of the requisition in question, with the view of ascertaining how far the makers of it were warranted, in its proposition, by its innate propriety, and how far popular feeling was right in condemning its production.

The first article may at once be passed by as supererogatory, and either put forward in ignorance, which it could scarcely be, or foolishly introduced by the delegates for no purpose that can well be divined, unless it were that of justifying more strongly the violent steps they had taken. To the third and the sixth articles also, for the payment of arrears and the indemnity of deserters, may, with propriety, be allowed the objection, that they were unworthy of so momentous an insurrection, scarcely borne out by any innate equity they might possess, and, therefore, savouring of a desire to extort from the government the uttermost which the fears or necessities of the period might allow. Abandoning to condemnation these three abuses of the Nore requisition, history is compelled to take a very different course with regard to the other five by which they were accompanied.

The second article simply stipulates that on the arrival of his Majesty's ships in harbour, the crew shall obtain leave of absence to visit their friends and families whenever the convenience of the service and the duty of the individual ship shall per-

mit such an indulgence. In order to ascertain what justice there really is in this demand, let us pause for a moment to inquire, for what period the seamen primarily engaged in the service, and how far faith was kept with them in discharging the burden which they thus voluntarily undertook.

The period for which a man-of-war was, by general custom of the navy, originally commissioned was three years; by mutual consent this term has often been extended into four, and a great latitude was afterwards certainly taken by the government in converting the three stipulated years into six; but what were the facts of the case in the long war during which this mutiny arose? The seaman entered the navy for three years; from that period his own will was as completely forfeited as if he had been sold into bondage. He was drafted from ship to ship, and from station to station; every representation he might make for a discharge was treated as an act of the greatest contumacy, even after ten, eleven, and twelve years had elapsed since his entry. It would not, indeed, be difficult to produce instances in which one ship has been in commission thirteen years, and when on the point of returning from a distant and unhealthy climate, all her best hands have even then been drafted out of her into other ships, whose term of service was only commencing, while the original vessel was carried home by a comparatively invalided crew.

This scandalous breach of public faith was justified, as is usual in all similar outrages, on the plea of the public service; but even if we can consent to accept such pleading, which no honourable mind ever will, what can be said for the bar-

barity of denying to these ill-used men, the inadequate compensation of rendering as light as possible the chains of that servitude which were to gall them down to the very grave?

The more valuable a seaman became from his knowledge and experience, the more hopeless was the probability that any captain would spare him from the service or his ship—the more distant the scene of that transportation to which he had been condemned for no fault but devotion to his country, the greater were the obstacles thrown in the path of his return! From a calculation, made by competent judges, the value to the government of each man, on the Indian station, was that of one hundred pounds sterling; and while the civilians complained of a per centage tax on their wealth which the seamen thus preserved, the sailor's whole happiness was sacrificed, for fear that this value placed upon his person should be lessened, by allowing him to revisit the country that called him its pride! its boast! its glory!

What inconvenience could possibly have arisen from allowing these men to taste "the sweets of home," as they touchingly phrased it in one of their memorials, it is difficult to conceive; unless their arbitrary governors might fear, that a few days' residence on the soil of Great Britain should restore them any share of that freedom which, by some monstrous anomaly in our boasted constitution, every Englishman appears to have lost from the moment that he consents to serve the state upon the sea—that living cradle of its greatness!

If these really were the views of the minister, we commend him much for the rigid mode in which he enforced them; certainly Antæus was

never allowed to touch his mother earth; and the greatest happiness of which the heart is susceptible, the purest indulgence that can be afforded to the mind, that of renewing a cherished intercourse with beloved friends and relatives, was denied to a class of British subjects, to whom the greatest possible favour, protection, and kindness, were due from the state, whose whole support and entire safeguard they had ever been.

It is in vain that the upholders of this system can attempt to justify its continuance, by asserting that it would have led to any deterioration in the duty of the navy, or the efficiency of individual ships. In innumerable instances, vessels came into port, and fleets anchored in harbour, where their commanders were perfectly aware that whole weeks must elapse before it would be necessary for them again to proceed to sea. In the case of very few, even if of any, of these vessels, would the temporary subtraction of a small portion of the crew have been productive of the least injury or delay in the duties which the seamen had to perform. Thus then three or four days' leave of absence might have been granted to separate relays each in their turn, and thus the whole of the seamen have had that just intercourse with the rest of their fellow subjects and families to which, by the most rigid notions of justice, they were entitled. As, however, the mode in which the service was administered blindly excluded such advantageous regulations, what may we inquire was the natural result?

On the instant of seamen entering port, they were tantalised with all the joys of shore in the distance, without being allowed to partake of them

for more than a few hours at a time, and that at rare intervals. When they did gain a brief footing on the land, their joy hurried them into conduct that, had it not been explicable by the rigidity of their usual confinement, would otherwise have been most humanely attributable to insanity—the wages of years of privation and suffering were squandered in the madness and debauchery of a few hours; leave was exaggerated into the grossest license; and that which should have proved a relaxation of the mind as well as of the person, was converted into an opportunity of poisoning the health of both.

To those whose families lived at a distance from the seaports, this system was virtually as complete a sentence of excommunication from all further intercourse, as any exile of Siberia could sustain; while to those relatives who possessed money enough to visit their connexions on board the fleet, nothing but the contamination of a man-of-war's lower deck was open.

How far the license here permitted, was calculated to improve the morals of a people whose governors were at that time accustomed to make such a parade of their religious duties, it is not difficult to gather. The junior officers had some compunction for the imprisonment to which their crews were often subjected; and in order to alleviate its hardships, followed their own notions, by allowing their men some intercourse with the more humanising portion of their fellow-creatures. Their notions were peculiar for a moral people certainly, since almost every seaman, and in some ships the whole of the warrant officers and the elder portion of the midshipmen, were allowed to take on board females

with whom they cohabited during the stay of the ship in port.

The evident objections to such a course did, it is true, induce some captains to forbid this departure from all the acknowledged proprieties of English life; and then still more unfortunately arose scenes so disgraceful that even history blushes to mention them as having occurred among British subjects.

Having now traced the baleful effects of this odious severity to its last deplorable climax, it is only necessary to remark that subsequent experience has demonstrated the utter fallacy on which it was ever adopted. In happier and more reasonable times large parties of seamen, and in some cases even the whole of one watch of a ship's company, have been permitted to leave their ships for eight-and-forty hours on leave of absence to see their families; and so far from any injury to the service having arisen therefrom, the perplexing offence of desertion has been found most materially to diminish, the moral character of the seamen has greatly risen, and ships' companies have not only become more cheerful in the discharge of their heavy duties in vessels where such liberty has been most practised, but feelings of attachment have arisen between the officers and their crews that have added a treble power to the efficiency of both.

Even at the very time of this mutiny some commanders were found sufficiently in advance of the knowledge of that day to act, of their own accord, on the reasonable principle contemplated by the views which we here advocate; and it is a bare measure of justice, to name a few of those who most ardently advocated and exercised

this system: amongst others during the late war was, Lieutenant Obadiah Newell, then first-lieutenant of a line-of-battle ship, an officer unsurpassable for bravery, gentleness, worth, and skill; and in later, and more peaceful eras, may be mentioned the Honourable Captain Sir Robert and the Honourable Captain Frederick Spencer, both sons of the noble lord presiding over the Admiralty at the period to which our history relates. Since then, experience has fully demonstrated that the second article of the Mutineers at the Nore would have been as harmless—nay even more—as beneficial in its consequences as it was just and natural in its demands. What then can we now think of the injustice of the nation that could hesitate in granting it? What do we not feel for those servants of their country who pined and asked for it in vain?

The third article having been already discussed and condemned, we now arrive at the fourth—THAT NO OFFICER ONCE DISCHARGED FOR MISCONDUCT SHOULD AGAIN BE FORCED BACK ON HIS OLD CREW. After the details which we have already given, however, of court martial justice, and that mode in which alone men were made responsible in any degree for the enormous power entrusted to their hands, it is scarcely necessary to deduce the evident inference that the seamen must have suffered many cruelties from the return of officers whose tyrannical or infamous conduct had once caused their dismissal, and who on their return to their former stations would be more than likely to remember with improper severity all who might have been subservient to their previous punishment and dismissal; not only, therefore, do we hold the sea-

men inculpable for having alluded to this abuse of power, but we utterly dissent from the objections which have been made to this article, namely, that the prerogative would be insulted by regarding the consent of the crew before the sovereign should exercise the indisputable power of returning to the navy any officer whom he had already adjudged disgraceful to it. A much more reasonable objection may be urged against this stipulation of the mutineers; greatly would it have been improved by converting it into an absolute prayer to the monarch, that no such very questionable exercise of the royal clemency to an individual offender, and of royal wrong to a large and deserving class, should ever be permitted to take place under any circumstances. Had the mutineers suggested that, in the milder cases of tyranny, a temporary absence from the service should be the sentence, and in the more flagrant instances that deserved exclusion, once pronounced, should never be revoked, they must have carried with them the support of every reflecting friend of humanity.

The captain of a man-of-war is, for the time being, as despotic a sovereign as can easily be imagined: he certainly has not ventured often to take the lives of his fellow-subjects without any trial, though instances* even of this, have not

* I have been informed by a naval officer, who related the anecdote by way of commendation, that a great commander, whose services at the end of the war were rewarded with a peerage, performed the offices of judge and executioner in the following summary manner:—His crew had come aft upon the quarter-deck to complain of the badness of their wine, which was of the Canary species, and which they alleged to have proved sour, or some similar complaint; wine being at this time served out on board the fleet, when rum, which the sailors much pre-

been wanting; but for every inferior punishment, with the exception of flogging round the fleet, he is at once both judge and jury—witness and prosecutor, if he pleases. What then is so rebellious in the sea air to establish this extraordinary difference between naval and military discipline, making the latter so much the milder of the two?

The military service ought to be the more difficult to govern, for there all the temptations of the shore are constantly at hand, and desertion is so much more infinitely easy, yet no soldier is subject to corporal punishment without having been previously tried by a court martial of his officers of different ranks. The difference in the system may appear to some to have arisen from this fact, that

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ferred, was not procurable. After the first or second complaint, this officer hailed another ship in the same fleet, to know whether any complaint had been made of their wine, which had been served out at the same time? The answer was, No. On the following day the same party came aft on the quarter-deck to repeat the complaint in the name of the crew, on which occasion the result was, that the great commander drew his sword and run the complainant through the body, having suddenly found that the complainant was guilty of the crime of mutiny. If this anecdote be true, and I have not the least doubt of it, one cannot but admire the qualities of this great commander, who was able in one mode, at least, to surpass Cæsar himself,—having thus detected a crime—summoned a court-martial—heard the evidence—adjudged the culprit—and proved the doomsman—all in his own person, and in the course of a few seconds. As his lordship never either received a medal for this heroic deed, nor was put upon his trial for its commission, we presume that his modesty did not think it necessary to include it amongst the list of his other victories. An English lawyer may, however, be permitted to regret that the want of any trial precludes the world from knowing whether the attendant circumstances of the case were such as would have led an English jury to return upon his lordship a verdict of murder or of justifiable homicide.

the army are constantly subject to the wholesome revision of their fellow-citizens, who become acquainted with all parties in its ranks through the medium of the press; while the unfortunate seaman, inclosed within the narrow ribs of the oak leviathan, must, if he meets with a tyrannical commander, run the risk of mutiny and hanging on the one side, or submission and degradation, carried perhaps even to death, on the other.

From the possession of a power so irrationally gigantic—so wholly uncontrollable—so little responsible, how few human minds are capable of escaping without contamination! While, therefore, we blame the outrages into which it has led its possessors, the criminality should be laid less on the culprits than the system which corrupts them: the point however to be demonstrated, comes home equally forcible and sharp.

The only guarantee possessed by the seamen abroad or the nation at home that their naval commanders will not abuse their overgrown power, lies in this hope alone,—that the humane feelings, honourable disposition, and just conscience of the possessors, will withstand the temptation to err, and under every disadvantage act rightly; this being most indubitably the case, how entirely is this guarantee swept away, by restoring to all the flagrant power of the service, the very men who have already proved themselves wanting in those principles which form the only security which they can give for their moderation!

It is a matter too notorious almost for assertion, that punishment rarely corrects the inherent principles of the adult mind; in these more enlightened days of jurisprudence, not a convict leaves the

shores of Britain for transportation to a penal colony, without owing his punishment to, at least, a second offence, and much more frequently to a six and even a twelve times repeated crime.

From this, therefore, we perceive, that it is not merely condemning a man to abjure his station for a few months, or even years, that can alter those habits of action and temper which have grown up during the whole of his previous existence, and must form either the honest man or the thief,—the tyrant or the humane commander.

From the whole of these premises it is fully impossible to say, that the seamen had not a very deep and just ground of complaint in the article we have just been discussing; we now arrive at the demand, as put forth by the seamen in article five, that an advance of pay should be made to impressed men.

After the remarks which, in the beginning of these pages, we devoted to the system of impressment, it is hardly necessary to repeat the reprobation already expressed of that anomalous disgrace to the British constitution. As however it was a monstrosity, to the hideous nature of which time had gradually accustomed the sufferers, it might fairly be supposed that the most strenuous supporters of impressment would admit the propriety of the sailors' modest and simple request.

That any man, suddenly taken from other ties and occupations, should be dragged on board a ship to risk his life, limbs, and liberty, without a moment's notice, is sufficiently revolting; but public feeling must have reached the last and most degrading pitch of selfishness, when any doubt could be entertained that such outraged beings

were entitled to an advance of pay to equip themselves with a few necessaries: a more moderate or more just demand than this article was never yet put forth by any set of men, however slightly wronged they might be.

The sixth article has been already given up, as unworthy of the company in which it is found.

The seventh merely demands a more equal distribution of prize-money; and of the perfect and entire justice of such a requisition, after the specimen given a few pages back, it is unnecessary to add one word further in support.

We now arrive at the last demand made by the mutineers at the Nore. Article eight affirms that the system of discipline and the articles of war are unnecessarily severe, and require relaxation in order to disabuse seamen in general of the prejudice which the name of the king's service had inspired.

Now that the blind bigotry of a despotic period has passed away, and absolutism has lost for its oppression the grand excuse of war, experience at length lays bare the folly before us, and the cruelty of the vanished style of government. A gradual system of amelioration has proved nature to be a less dangerous legislator than the empirics of party had asserted; how forcible a lesson is conveyed to any candid mind, by the unintentional development of the naval code of 1796, and the results that it produced to the country!

This last article of the Nore requisition, in its immense scope, embraces more or less every demand that precedes it. We here find the seamen of a large fleet, who had never before been known to complain, in direct terms, of the cruelty

of their punishments, proclaiming to the world the severity of the system to be such, as not only to distress and irritate the immediate sufferers, but to spread a terror of its working throughout the only class by which the naval service of the empire was to be supplied.

Whether the men were correct in their estimate or not may best be decided from the Articles of War themselves, which we have subjoined in the appendix. That the system did really produce the terror attributed to it no one can doubt, since the British fleets were only to be manned by the aid of pressgangs, the ill-fated victims of which were torn from every tie at home, to meet with every privation, suffering, and injustice abroad.

We will not here anticipate those remarks which we intend to dedicate to a picture of the British navy, such as it ought in all justice and reason to be. For the present it is sufficient to reflect on the sanguinary laws which govern that service, their absence from any control from the civil power, and the mockery of justice which proceeds in their courts-martial, to arrive most indisputably at the conclusion, that the seamen did not step beyond the bounds of truth in the last demand, wherein they asserted that the Articles of War, and the whole mode of carrying them out, were most injuriously harsh and imperatively requiring revision.

CHAPTER VII.

To the demands of the mutineers, the Lords Commissioners of the Admiralty on the 22d of May, replied, through the medium of Charles Buckner, Vice-Admiral of the White, who addressed to his fleet the following letter:—

Sheerness, May 27, 1797.

In pursuance of orders communicated to me by the Lords Commissioners of the Admiralty, I am directed to acquaint the crews of his Majesty's vessels at the Nore and Sheerness, that after the very liberal attention of his Majesty in increasing the wages and provisions of the seamen and marines in his Majesty's service, for which they have in general expressed themselves not only satisfied, but highly grateful, their Lordships are extremely surprised to find the seamen and marines of his Majesty's ships at the Nore and Sheerness should be still in a state of disobedience, and bringing forward further requests; their Lordships have therefore commanded me to inform you, that since all that could reasonably be expected by the seamen and marines has already been granted them, their Lordships cannot accede to any such request.

With respect to the first article of the conditions

presented by the seamen and marines at this port, their Lordships direct me to inform you, as has already been explicitly declared, that all additional allowances of wages and provisions, and every other regulation announced at Portsmouth, have been established by his Majesty's order in Council, and by Act of Parliament, and extended to all seamen and marines in his Majesty's service. That, with respect to the second article of the said conditions, the nature of the service in time of war does not admit of the men having leave to go to their families, except under very particular circumstances, of which the Captains, or other superior officers, alone can judge; that with respect to the third and fifth Articles, the ship's company shall be paid in the manner pointed out by the several Acts of Parliament at present in force for the encouragement of seamen and marines employed in his Majesty's Service; as they always are, unless some very urgent necessity prevents it; but as it ever has been the practice of the Service to show attention to those who, with the true spirit of British seamen, voluntarily stand forth in defence of their country, their Lordships are desirous of giving every possible encouragement to volunteers; and it is not their intention to direct that advance should be paid to impressed men.

With respect to the fourth Article, all arrangements concerning the officers to be employed in the ships of the squadron must be settled by the Admiral or Commanding Officer for the time being, conformably to the instructions of their Lordships, according to the circumstances of each particular place.

With respect to the sixth Article, if it should be his Majesty's pleasure to pardon all who may have deserted from his Service in the Navy, it must be the effect of his Majesty's royal clemency alone, and not of any requisition; that, although their Lordships thought proper to go to Portsmouth for the purpose of obtaining more perfect information of the grievances which the seamen and marines in general might have to represent, and of adopting most expeditiously such measures as might be necessary, and granting such further indulgences as might render their situation more comfortable, and enable them better to provide for the support of their families, no similar reason exists for their taking such a step on the present occasion.

That the representations made at Portsmouth have been fully considered, and the regulations made in consequence have already been extended to the whole fleet, and established by the highest authority. Their Lordships therefore direct that it is to me and to the officers under whom you serve, that ships' companies are to look up, to whom their petitions are always to be presented, and through whom their Lordships' determinations are to be expected.

It is their Lordships' direction that I should also inform you that, notwithstanding all that you have done, his Majesty's most gracious pardon, and their Lordship's order to all the officers to bury in oblivion all that has passed, are now offered to you, which, should you refuse, you will have to answer for all the melancholy consequences which must attend your persisting in the present state of disobedience and mutiny.

When the seamen and marines at the Nore and at Sheerness reflect that the rest of the fleets have returned to their duty, and have proceeded to sea in search of the enemies of their country, their Lordships have no doubt that they will no longer show themselves ungrateful for all that has so liberally been granted to them, but will strive who shall be the first to show his loyalty to his King, and his love to his country, by returning to that state of obedience and discipline, without which they cannot expect any longer to enjoy the confidence and good opinion of their country.

(Signed) CHARLES BUCKNER,
Vice-Admiral of the White, and Commander of his Majesty's ships and vessels in the river Medway and at the buoy off the Nore.

In a crisis so momentous as the present it is only fair to infer that the foregoing letter, on which all hope of accommodation depended, would have received the most serious consideration, if it were not wholly the production of the first minister of the crown. Mr. Pitt must have had a singularly happy conception of the words, loyalty to the king and love to the country, when he seemed by this document to expect that the mere parading of such terms on paper was to charm back into the bonds of discipline those who had already risked their lives to redress their heavy grievances. The consequences of so puerile a production, that possessed neither the virtue of austerity nor the magic of conciliation, was speedily made manifest.

Admiral Buckner having delivered to the delegates the answer sent in to their demand, allowed

them, according to some authorities, only ten minutes to decide on its adoption or rejection; but instead of returning to their allegiance, as the framers of the answer seemed to have contemplated, the seamen rowed into the harbour, seized all the armed boats, and took care as they returned past the forts at Sheerness to discharge the contents of their separate bow-guns against the batteries, by way of defiance. In addition to this step, they not only took no heed of the summons on their "love of country," affectingly as it was urged, but landed from time to time, to parade their strength through the neighbouring shores of Sheerness.

On the 24th of May, Admiral Buckner, perceiving how completely his first document had failed in its object, put forth in the name of the government a second, which was nearly an echo of the former; to which, certainly, the least justice that can be done, is to allow such eloquence and argument to speak for themselves—to say nothing of the conciliatory nature of bad grammar in a "benevolent government."

To the Seamen and Marines of his Majesty's Ships at the Nore and at Sheerness.

Sheerness, May 24th, 1797.

Pursuant to directions from the Lords Commissioners of the Admiralty, which I received this afternoon, I am again to call the attention of the seamen and marines on board his Majesty's ships and vessels at the Nore and Sheerness, to the gracious offer already made to them, and to declare that I am instructed and authorised by their lordships to repeat the offer of a pardon, which will include all offences committed by the

seamen and marines during the disorders that have and do prevail, on condition of their returning to their duty; and when the seamen and marines abovementioned shall reflect that they have pledged themselves to be perfectly content with, and abide by, the determination of their friends at Portsmouth, who, sensible of the indulgences granted to them, have returned with alacrity to their duty, and are now in pursuit of the enemies of their king and country, it is hoped that the seamen and marines at this port will no longer show themselves ungrateful for all that has been so liberally granted, and which have so completely satisfied the companies of his Majesty's ships composing the Channel fleet, but on the contrary, that they will be forward in following so laudable an example, and cheerfuly express their readiness to accept his Majesty's most gracious pardon, now offered to them a second time, and to return to their duty like British seamen: and I have also their lordships' commands further to inform you that they do not see the propriety or expediency of their holding a Board of Admiralty at Sheerness; and that they do not mean to encourage a repetition of demands by any further concession; also that it now rests with the seamen and marines of his Majesty's ships and vessels at the Nore and Sheerness to decide whether it may not be for their interest to return to their duty, and thereby avail themselves of his Majesty's most gracious pardon, rather than expose themselves to those consequences which must follow from their continuance in a state of disobedience.

(Signed) CHARLES BUCKNER,
Vice-Admiral of the White, &c. &c.

On receipt of this second letter, signed by Sir Charles Buckner, the delegates met in consultation as to what should be the most proper reply for them to make to the admiral. The resolution of government to grant them no particle of their demands, was received with extreme anger and dissatisfaction ; and they unanimously came to the determination to reject those offers of pardon which seemed to rely so much on their loyalty for a sovereign and love for a country which demanded every sacrifice from them of privation and even life, yet seemed bent on making the most niggardly return with which their necessities compelled them to be satisfied.

Whether such a system on the part of government was capable of praise—whether it was consonant with the most ordinary ideas of justice between man and man, is a matter of which posterity here have the very best materials for judging, but of which we, for our individual part, must ever entertain the greatest doubt. That a very different feeling may have prevailed in the days of absolute doctrines, is exceedingly possible ; the political impostors and jobbers who then supported goverment, laboured very hard to paint the monarchy as a sort of Juggernaut's car, beneath the gorgeous but oppressive wheels of which, the lower orders of the state were to esteem it a happiness if they could throw themselves, for that grinding into the dust, which was to produce honour to the idol and saintship to the slave. Now, however, when these absurdities are vanishing from the mother country with the Suttee sacrifices from her colonies, it is to be hoped that the more rational doctrine of legislation which

has arisen, will take too firm a root ever again to be displaced. All governments that boast the name of freedom are, or should be, the happy union of a powerful family, in which, though some are born with precedence before others, yet none are expected to perform services without adequate advantage; and if restraint is imposed and received on the one hand, it is only proper that proportionate advantages should compensate for it on the other.

If the government thought the demands of the seamen exorbitant and unnatural, well and good: it was competent to them to state such an opinion, and on that issue to go to the country and to posterity which should succeed them. To put forward an argument, however, that because the seamen at Spithead were contented with what had been already granted, the crews of the Nore fleet were criminal in asking for more, is a proceeding so contemptible to reason and irreconcilable with truth, that it at once bears the stamp of that despotism which had already so impoverished the country and striven so desperately to impair the constitution—the despotism of an oligarchy, of which, the sovereign had so far forgotten his interest and station as to put himself at the head.

When the seamen at Spithead demanded a redress of their grievances, they certainly were the best judges of their own case, and the hardships under which they suffered; but because this act of self-redress was novel, and they trembled as to how far it might succeed, and for this reason erred on the safe side by asking considerably less than that to which they were fairly entitled, can any

rational party make this a ground of charging crime upon another and larger part of the fleet, who, having had no connexion with the first outbreak, and therefore no opportunity of representing their wrongs therein, and having moreover seen with what ease the first series of requisitions were granted,—did in their turn take their own opportunity of making known their sufferings, and claiming a redress of them in like manner?

If any one should be so blinded by prejudice as to assert that such conduct was criminal, let him view the matter in a light that will at once make evident the full bearing of the question. Let us suppose that the mutineers at Spithead had only put forward as their sole complaint the first requisition of their demands, and that the other four had been wholly omitted; let us suppose that this first requisition had been granted by government, and that in a few days afterwards the Mutiny at the Nore had broken out, the delegates simply confining themselves to the other four demands, which we suppose the mutineers at Spithead to have omitted. Would it, in this case, have been any argument against the Nore fleet to say, Your brethren at Spithead have been content with one demand, and now you make a second mutiny to ask for other four, and therefore we will not grant you one of your claims, because we are unable to see where your demands will stop? yet this reasoning from the government would not have been less fallacious—less absurd—less really cruel, than that which they absolutely did make, through the exquisite medium of Sir Charles Buckner. It must therefore be evident that on the intrinsic justice of the Nore requisition, and on

this alone, can history judge fairly between the government and the fleet.

Taking this as a test, we boldly assert that even all the aggregated demands, both at the Nore and Spithead, fell far short of that which a truly wise government would, of its own accord, grant to a service so vitally necessary to Great Britain as the British navy. One instance will suffice; let us suppose that the seamen of the North-Sea fleet had insisted on the total suppression of all impressment—had held out for the impropriety of filling the fleet with the refuse of jails—and had declined to lift an anchor until a regular system of naval registration was instituted in England, by which the whole kingdom should fairly stand its chance of the perils of defending the community at sea, or of sending substitutes, as in the case of the militia, to discharge this arduous service—who is there that must not admit, that demands even so extensive and important as these, amount, after all, to nothing more than an equitable claim? yet compared with such an organic change in the constitution of the country, what but a mere trifle were the emendations which the seamen of the Nore asked, and the government refused, at the peril of the empire and the sacrifice of life? Had the delegates on board the fleet possessed the ability to draw up a manifesto in which these points could have been fairly raised and argued, and the flimsy excuses of the government exposed, there can be no doubt that, prejudiced and overawed as a great portion of the nation was at this period, a case so strong in its own right would have triumphed over even the illegal and improper manner in which it was put forward,

and the demands of the fleet have been at once granted.

Unfortunately, however, for the seamen, this was not the case; the delegates of the fleet had elected to be president of their committee, a man named Richard Parker, one of their own body, but who, at a former period of life, had received such an imperfect education as just sufficed to raise him above the level of the other delegates, without at all fitting him for the highly dangerous post he had been rash enough to undertake, and in undertaking which it was his doom to perish. Of the capacity of this man, and how far he was likely to do credit or injury to the cause he conducted, we shall better be enabled to judge when his history and character come before us.

CHAPTER VIII.

WHILE events were thus proceeding on board the fleet, the intense anxiety manifested by the whole nation amounted almost to convulsion; it would be very difficult to convey any adequate notion to distant times of the scene presented on shore, and of the all-pervading alarm that filled every bosom. Conscious as Englishmen were that upon the navy alone the kingdom must depend for all defence against invasion, it was most natural that every proceeding among the seamen should be intensely watched as a matter of life and death, freedom or enslavement to all. One subject alone engaged every lip, and formed the chief subject of all thoughts.

Yet, while the urgency of being reconciled to our marines was so manifest to all eyes, so completely the burden of every prayer, the minister was bent upon refusing every demand they had made with the haggling spirit of a slave merchant; cheapening the cost of human lives, instead of applying to a crying grievance, that just remedy and fair redress, every opportunity of rendering which it was his undoubted duty, as an enlightened legislator, to have seized with avidity.

In the interval between the close of the mutiny at Spithead and the explosion at the Nore, the

country was inundated by a flood of seditious pamphlets, not emanating from the seamen themselves, although written in their name by mischievous individuals, who sought to make the present occasion an instrument to excite the whole kingdom into a flame of rebellion. One of these miserable forgeries, entitled "An Appeal of the Sailors on board Lord Bridport's Fleet," had attracted general attention, from its pointed allusions to Mr. Sheridan, and to the part he had uniformly taken in attempting to redress the corruptions and hardships of the service, with an especial reference to his speech and proposition in the debate on the 9th of May.

When matters had arrived at such a fearful state of hazard to the public safety, the distinguished orator of whom we are speaking considered it to be his duty to make a proposition upon the subject to the House, and gave notice accordingly; but upon communicating the nature of his proposition to the government, reasons were urged which induced him to withdraw from his first intention. In explaining the case to the House, on the 26th of May, he is reported to have said, "his proposition was intended to have been of a conciliatory nature; for he could not retract his former sentiments—that the seamen had been subject to the most foul and mischievous misrepresentations. It was a matter to be lamented, but he was convinced both by the style and matter, that the manifesto to which he referred did not originate with the sailors; but that it either was a forgery, or else the sailors had been made the dupes to the mal-purposes and artifices of others. Those persons, therefore, who believed it

to be the spontaneous production of the seamen, might not be astonished that the seamen should continue in a state of suspicion and insubordination. But it smacked more of a circulating library than a forecastle. There was nothing in it of the British sailor. The rough, honest, manly conformation which characterised the former publications of the seamen was entirely extinct. With regard to that part of the manifesto which related to himself, Mr. Sheridan observed that it was plain he had never been misrepresented, for he had said that the concessions were no more than an act of justice; that he regretted they had not been granted sooner, because above all he regretted the mode of application. It was true also, he said, the seamen had not been acting from their own feelings, but from the foul treachery of others; and in this opinion, however he might be abused, he still persisted. For his own vindication, however, he thought it necessary to state, that in the year 1786 he did twice bring in a bill, to which there were some reasonable objections; for the benefit of seamen; and the general plan of that bill he should perhaps at a future opportunity renew. All he had to state upon it at present was an opinion that, if that bill had been passed, the late disorders in the navy would have been prevented. So far was he from interposing any obstacle to the interests of the sailors, that he had always been their friend, and never more than now, when he desired to give them warning against the secret machination of the enemies of their country. If they expected the nation to be in safety without order and subordination among themselves on board the fleet, they might as well

expect their ships to sail without a rudder, or they might as well pull down their shrouds and masts and lay them on the deck." The policy upon which Mr. Sheridan would have acted was right in its principle, and would have been beneficial in its application. He rightly appreciated the stuff of which British sailors are made. He knew the sterling worth of their metal. He could have trusted to their soundness at the core. Acting upon such an opinion, his inference was correct—that the present position of the seamen in mutiny was unnatural, and framed by accidental circumstances. Reviewing these, he at once penetrated the seat of the disease, by collecting together the mass of intolerable abuses, hardships, and miseries, to which the service was subjected; and, therefore, he justly arrived at a true conclusion, that the restoration of health, order, and vigour to the right arm of the national greatness, was only to be accomplished by removing the festering sores of privation and ill-treatment, with a firm reliance upon the honesty, faithfulness, and loyal affections of the sailors, as their characteristic qualities.

This would seem to have been his correct decision upon the subject eleven years before the elements of evil had gathered strength enough to convulse the nation by a sudden and impetuous rupture. But unfortunately for the country and for the untarnished honour of the navy, his keen and statesmanlike perception was allowed to be wasted in pointing out dangers and in suggesting preventive remedies. The argument employed to baffle the clearness of his demonstrations was against the extent of reformation required, rather than a

denial of its necessity; that the vast machinery of our service afloat would be deranged by the wholesome changes demanded; the constitution of our navy would sink under the appliances necessary for its restoration to its natural vigour; and thus, by a wretched and narrow policy, the crying abuses of a monstrous system were permitted to make head without obstruction, until they forced a remedy through a general convulsion, effusion of blood, and the retributive justice, as it was termed with mock gravity, of the unsullied majesty of the law. But we are not to suppose that the originators of this enlightened policy did not deplore the illegal measures of intimidation and mutiny, by which the sailors were endeavouring to wrest their redress from the reluctant hands of the executive; on the contrary, they were more than usually alive to the disgraceful necessity of supporting government with all moral and physical aids in their power, in the re-establishment of authority, and for the discomfiture of treasonable designs; nevertheless, with a rare combination of eloquence and truth, they insisted upon the inherent justice of the claims advanced, while they condemned most emphatically, as destructive of all prosperity and fraught with infinite danger, the spirit of insubordination, by which the British nation was sought to be driven into compliance with demands, in themselves reasonable and just. In answer to the second letter of Admiral Buckner, Parker, with the concurrence of his fellow delegates, sent the following reply :—

To the Lords Commissioners for executing the office of Lord High Admiral of Great Britain and Ireland, &c.

I am commanded by the delegates of the whole fleet assembled in council, on board his Majesty's ship Sandwich, to inform your lordships, that they have received your letter from Admiral Buckner, which informs them that it is not your intention of coming to Sheerness: the same has been communicated to his Majesty's ships and vessels lying here, and the determination of the whole is, that they will not come to any accommodation until you appear at the Nore, and redress our grievances.

(Signed)

RICHARD PARKER, President.

"By order of the Committee of Delegates of the whole fleet.

His Majesty's ship Sandwich, May 25, 1797.

Having despatched this answer, the delegates determined upon placing the different ships in a posture for defence. To prevent surprise they first unmoored with the whole fleet, and then moored again in two lines of battle, as though they would evince by this movement, their resolution to oppose any attempt which might be hazarded to force them to submission, while they were waiting, at the same time, passively as their ships themselves, the course of events, and the impression made upon the public mind by a menacing attitude. It was also their design to strengthen themselves by an accession from other quarters. Admiral Duncan's fleet, consisting of fifteen sail of the line, was lying in Yarmouth

roads; seventeen delegates, therefore, sailed from the Nore on the night of Wednesday the 24th, with the view of inducing that powerful armament to make common cause with their brethren, and to join the mutinous fleet; we shall mention the success of this expedition in its proper place. On Saturday, the 27th, fourteen delegates were commissioned to enter the Thames and to secure the co-operation of any ships which might be lying in Long Reach. As they passed up the river the guns of Tilbury Fort were fired at them, and two of the number were captured by the inhabitants of Gravesend, where they had effected a landing. Either by intimidation or from popular feeling, the two delegates were set at liberty after a few hours' custody, and succeeded in persuading the Lancaster, 64, to join the confederacy; this ship, however, failed in dropping down to the Nore, although she evidenced a disposition and spared no exertion to effect her purpose. In consequence of the alarm produced by the eruption of the mutineers into the Thames, the state of things on shore was one of preparation, terror, and excitement. Gravesend was reinforced with a large body of marines, infantry, and artillery; the batteries there, and also at Tilbury, were all manned, and the furnaces heated so as to be prepared with a supply of red-hot balls if the mutineers should attempt to sail up the river. When the resistance made to their designs was communicated by the delegates who had returned from Long Reach to the committee of the whole fleet at the Nore, the first impulse prompted them to send two line-of-battle ships for the protection of all vessels inclined to join the mutiny;

but whether more important events, then upon the eve of taking place, diverted attention from this minor point, or whether the preparations for attack upon shore infused caution into their counsels, the design was abandoned, and the vessels at Long Reach lay unmolested, without the power, even if the will existed, of tiding down the river and anchoring at the Nore.

At last the government was beginning to feel sensibly the panic which had seized the public mind, and to weigh with apprehension the responsibility of their situation. As the mutineers had made it a point to confer personally with the Admiralty upon the subject of their grievances, ministers were led to expect a favourable result from concession in this particular. "Lord Bridport's fleet," said the delegates, "were thought worthy of the presence of the board to investigate their complaints: are we of less importance to our country in the hour of danger, or are our grievances more insignificant?" To pacify this jealous spirit would be considered a step gained, and a basis for further negotiations. On Saturday evening, the 27th of May, Earl Spencer, Admiral Young, Lord Arden, and Mr. Marsden, left the Admiralty for Sheerness; and at twelve o'clock the same night an Admiralty-messenger followed, conveying his Majesty's proclamation, which offered a free pardon to all who might be induced to return to their duty.

In the mean time, on board the fleet the organisation was perfect. No man was permitted to leave his ship without a voucher, called a liberty-ticket, signed by one of the delegates; and if any sailor were found ashore without his ticket, he

was put under arrest until he could explain by what means he had obtained leave of absence. In order also to prevent desertion, and to discover whether any seamen belonging to the fleet had been smuggled aboard, vessels of every size and description were overhauled on their voyage either to Chatham or London. Each man of-war furnished two delegates, and each gun-boat one, to the general committee. Besides the general committee of the whole fleet, a particular committee in each vessel managed all affairs connected with its internal arrangements, and superintended the conduct of their respective delegates.

If any charge of drunkenness, neglect of duty, or treachery, was substantiated against a delegate belonging to a particular ship, the general committee both awarded and inflicted punishments in proportion to the magnitude of the offence. All the superior officers having been deprived of their authority, and maintained indeed under a sort of honourable imprisonment, the efficient command of the vessel devolved upon the captain of the forecastle, although nominally the management of the vessel rested with its committee.

The following is a copy of the rules and orders issued by the delegates for the observance of the fleet:—

Rules and Orders.

1. Every ship shall diligently keep a quarter-watch; and every man found below in his watch shall be severely punished.

2. Every ship shall give three cheers morning and evening.

3. No woman shall be permitted to go on shore

from any ship, but as many may come in as please.

4. Any person attempting to bring liquor into the ship, or any person found drunk, shall be severely punished.

5. The greatest attention to be paid to the officers' orders. Any person failing in the respect due to them, or neglecting their duty, shall be severely punished.

6. Every seaman and marine shall take an oath of fidelity, not only to themselves but to the fleet in general.

7. No ship shall lift their anchors to proceed from this port, until the desires of the fleet be satisfied.

8. That there be no liberty given from ship to ship till all are settled.

No private letters to be sent on shore.

The delegates had been selected, of course, for those qualities which are most attractive in a sailor's judgment.

They were men who, from their superior seamanship, daring, and nerve, had acquired a moral and physical ascendancy on board their respective vessels. While the communication with the shore was still open, the delegates assembled daily in the town of Sheerness, where they held their conference, and debated upon the position of their affairs. After the business had been despatched, Parker, styled the "admiral of the fleet," preceded by one carrying the crimson flag, the symbol of mutiny, paraded at his colleagues' head through the streets, in defiance of all power, whether civil or military.

In the mean time, the eyes of the nation were

fixed with anxiety and hope upon the issue of the Admiralty expedition: indeed the first accounts were such as to lead to the assurance that the presence of Earl Spencer and his brother-commissioners had allayed discontent in the minds of the majority of the complainants. These expectations, however, were doomed to be disappointed. On Monday the 31st, the delegates conferred with the Admiralty three several times in the course of the day.

Emboldened by the concession made to their first proposition, and construing the presence of the Admiralty-board at Sheerness, to be a mark of weakness and fear upon the part of the government, rather than any advance towards an adjustment of the matters in debate, they are said to have conducted themselves insolently towards Earl Spencer and Admiral Buckner. They taunted the latter gentleman with degradation and want of authority, because his flag was struck, and represented his interference with their concerns as an act of impertinence. Besides this gross misbehaviour, moreover, they are said to have framed supplementary articles in addition to their original demands; but the evidence of this is doubtful.

The usual intoxicating effects of suddenly acquired authority seem rapidly to have betrayed the unfortunate seamen; and the moderation, which had characterised the first announcement of their grievances, began to disappear under the influence of that power, which, seized and wielded by uneducated minds, had evidently to their perceptions alarmed both the administration and the country. The truth is, that the best of causes and the purest motives will not avail to counter-

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poise excited passions and the weakness of human nature, when the usual boundaries of society have been once overstepped by men unaccustomed to command, or to understand the consequences of their actions. Earl Spencer informed them, that if they would embrace the provisions which had been made for them by the legislature, and return to their duty, he would take care that they should enjoy all the benefits which had been secured by recent acts of parliament to the navy in general; but that, so long as they persisted in maintaining a mutinous attitude, no concession of any description could be yielded to their importunity.

Upon this declaration, the committee retired to consult whether they should hold out in their resistance, or throw themselves upon the mercy of their sovereign, and trust solely to the justice of their cause for ultimate redress. A violent debate ensued, in which the more daring and desperate alternative prevailed. They said that they considered themselves to be marked out for destruction, and they thought that they might as well die in that cause as in any other.

During the last interview, at six in the evening, the board informed the delegates that the king's pardon was all that could be granted them, nor indeed so much, unless they should immediately make their submission. This ultimatum caused the greatest dissatisfaction, and it became evident that an arrangement, upon any possible terms, was not to be expected. The lords commissioners hereupon returned to London, having first ordered Sheerness to be put in a state of complete defence, and all communication to be cut off between the

shore and the fleet. For this purpose, artillery and ammunition were despatched from Chatham; the batteries were manned, and the furnaces heated for red-hot balls, to frustrate any attempt upon the part of the sailors to land. Any supply of fresh provisions to the fleet was prohibited; and in order to prevent more ships from being taken out of the harbour, all the pier-heads in the dock-yard which projected towards the mouth of the Medway were planted with cannon. The women and children, together with all persons whose business permitted them to leave, deserted the town, which, at every point, presented the appearance of a place besieged.

We must not suppose that the crews of all the vessels were unanimous in their adhesion to the mutiny; some might have been overawed by the threats of the more impetuous, or by the commanding position of those ships in which the rebellious spirit was raging with greater intensity; others, although acknowledging the force of their grievances, might have hesitated either in pressing their demands so imperiously upon the government, or would have been satisfied with the benefits already conferred upon the service in general as an earnest of future ameliorations.

Besides, it should be remembered that the officers, although deprived of command, were still on board the fleet; their presence, even although silence was imposed upon them, might have cheered the wavering and encouraged those to repentance who thought resistance had been already carried too far. But whatever causes might have been in operation, several vessels only waited the opportunity to escape without damage; for if any particular

ship fell under suspicion, she was immediately ordered to take up a position, commanded by the heavy guns of the fleet. The Sandwich, 94, Parker's ship, and the head-quarters of the delegates, watched the motions of the rest with unwearied vigilance. Notwithstanding the precaution exercised, early on the morning of the 30th, the Clyde frigate sailed through the fleet and made her escape into harbour. On the same morning, when the usual signal was given by the Sandwich for the delegates to assemble in council, it was acknowledged and repeated by the rest of the fleet, except the St. Fiorenzo, a vessel commissioned to carry out the Princess Royal, who had been recently married to the Grand Duke of Wurtemberg. About noon, when the boatswain's whistle piped all hands to dinner, the St. Fiorenzo cut her cables, and got under weigh without loss of time. Notwithstanding the surprise of the moment, she was raked by the fire of all the guns which could be brought to bear upon her, as she passed through the fleet, and sustained considerable damage in her rigging and her main and fore chains.

Gallantly steering her course, undismayed by the curses and shot levelled at her, and answering the shouts of mortification with a volley of cheers, she sailed for Harwich with all her colours flying. This successful attempt at desertion, on the part of two considerable vessels, threw dismay and confusion into the heart of the confederacy; nor is the supposition improbable, that unless other events had occurred to inspire fresh confidence, the Mutiny at the Nore would have been then suppressed. But unfortunately,

in the act of making their escape, when their places were supplied by a strong accession of force from the North Sea fleet. We have mentioned before, that on the 24th, a deputation was sent from the Nore to request the co-operation of the ships composing the fleet, then lying in Yarmouth-roads, under the command of Admiral Duncan. The mutineers seized upon the Cygnet sloop of war to carry them round, and arrived in the roads just as the fleet was putting to sea. The admiral took the delegates on board his own ship, and ordered the Cygnet to sail in company for the Texel. This wise measure, however, did not prevent the crew of the flag-ship, the Venerable, 74, from breaking out into mutiny. They mounted the rigging, manned the yards, and gave three cheers. By the exercise of firmness, tempered with discretion, insubordination was speedily suppressed, but it was evident that disaffection had caught the other ships, and prevailed extensively throughout the whole fleet. The admiral was becalmed outside the sands off Yarmouth, and gave the signal to anchor, which was obeyed by all the ships except the Standard and Belliqueux, each of 64 guns. These two returned into Yarmouth-roads; and on the next day, when the signal was made to get under weigh, the Agamemnon cut her cable, and the remainder of the fleet set sail and stood out to the eastward, leaving the admiral with the Venerable and the Adamant, 50, to proceed upon his voyage to the Texel. On Tuesday evening the 30th, between the hours of two and seven, the deserters from the North Sea fleet came dropping down to Sheerness, one after another in succession; immediately upon

their arrival within hail of the mutineers, they hoisted the red flag, manned the yards, and signified their adhesion by tumultuous cheering. The Montague, the Standard, the Lion, with four or five others, were at anchor by night-fall.

Notwithstanding the strong reinforcement from the North Sea fleet, the loss of their confederates and the formidable preparations for defence on shore, abated the energy of the mutineers, damped their ardour, and scattered the seeds of jealousy and mistrust. They lowered at the same time both their language and their terms. On the afternoon of the 31st, the delegates sent a boat, with a flag of truce, to seek an interview with Commissioner Hartwell, at his house in the dockyard, and there, in the presence of several officers, they agreed to return to their duty, upon condition of receiving two months' pay in advance, to supply them with clothing, of which they represented themselves to stand in great necessity, together with his Majesty's most gracious pardon. The commissioner, to test the sincerity of their proposition, accompanied the delegates on board the fleet, and having received the acquiescence of all the ships to the terms mentioned, left Sheerness for London with a promise to exert all his influence to procure the desired conditions, of which he entertained great hopes, from the favourable impression likely to be made upon the Admiralty by the altered language and demeanour of the seamen. Upon the arrival of Mr. Commissioner Hartwell in town, a cabinet council, summoned specially for the purpose, sat for three hours, in deliberation upon the course to be pursued.

The result was, a determination upon the part of the government to make no further concessions, but on the contrary to exact an unqualified submission.

Mr. Stow, secretary to Admiral Buckner, who had accompanied the commissioner to London, returned to Sheerness charged with the reply to the negotiation. Whether this policy were sound or not, may be a question; whether, even at this eleventh hour, a parliamentary inquiry into the origin of the mutiny, accompanied by an inclination to redress grievances, proved upon investigation to be real, might not even then have stayed the progress of this alarming rebellion, is a problem, submitted to the reader's judgment for solution.

But, whatever were the conclusions adopted by the country, with respect to the wisdom of the minister's decision, all parties seemed to concur in the necessity of tendering their support to bloody and relentless measures. Melancholy and alarm, mixed with much obstinacy, pervaded all ranks of society, from the highest to the lowest; and although public feeling had not yet attained its climax of fear for the consequences, yet it was arousing itself to a sense of danger, out of which selfish pugnacity was not quite the wisest means to extricate the commonwealth. On Thursday the 1st of June, the chancellor of the exchequer brought down to the House of Commons a message from his Majesty, concerning the mutiny on board the fleet, which was read and ordered to be taken into consideration the next day. Mr. Secretary Dundas also laid on the table a proclamation which had been distributed in the sea-ports of

the kingdom. Lord Grenville presented in the House of Lords the same documents, which follow :—

"G. R.

"It is with the deepest concern his Majesty acquaints the House of Commons that the conduct of the crews of some of the ships now at the Nore, in persisting in the most violent and treasonable acts of mutiny and disobedience, notwithstanding the full extension to them of all the benefits which had been accepted with gratitude by the rest of his Majesty's fleet, and notwithstanding the repeated offers of his Majesty's gracious pardon on their returning to their duty, have compelled his Majesty to call on all his faithful subjects, to give their utmost assistance in repressing such dangerous and criminal proceedings. His Majesty has directed a copy of the proclamation which he has issued for this purpose to be laid before the House, and he cannot doubt that his Parliament will adopt with readiness and decision every measure which can tend at this important conjuncture to provide for the public security; and his Majesty particularly recommends it to the consideration of Parliament to make more effectual provision for the prevention and punishment of all traitorous attempts to excite sedition and mutiny in his Majesty's service, or to withdraw any part of his Majesty's forces by sea or land from their duty and allegiance to him, and from that obedience and discipline which are so important to the prosperity and the safety of the British empire."

Proclamation.

G. R.

(L. S.) WHEREAS it has been represented unto us, that notwithstanding the declarations made in our name, and by our authority—by our Lords Commissioners of our Admiralty, of our gracious intentions to recommend to the consideration of Parliament, to augment the wages and allowances of the seamen and marines of our fleet, which our gracious intentions and declarations have since been carried into effect by an act of parliament; and notwithstanding the communication made by our right trusty and well-beloved cousin and counsellor, Richard, Earl Howe, admiral of our fleet, of our gracious intentions towards the seamen and marines of our fleet, for the pardon of the offences by them committed, and our royal proclamation thereupon bearing date the 11th day of May instant, and notwithstanding the sentiments of duty and gratitude with which the same were received by the seamen and marines of our other squadrons; yet the crews on board certain of our ships at the Nore, have not only, since the full manifestation of all these our gracious intentions and declarations, been guilty of divers acts of mutiny and disobedience of orders, but have even proceeded to other acts of the most heinous and treasonable nature by firing upon some of our ships, in order to compel them to submit to their direction—have threatened and taken measures for stopping the commerce of the kingdom passing to and from the port of London, and have, by terror of their force, compelled two frigates to desist from executing a particular service, which by

our order they were directed to perform; we, thinking it right to warn all our seamen and marines on board the said ships, of the heinous nature of the offences by them committed, and of the dangerous consequences thereof to the spirit and discipline of the British navy, and to the welfare of their country as well as to their own safety, do hereby earnestly require and enjoin all our said seamen and marines, immediately on the notification of this our royal declaration, to return to the regular discharge of their duty, as has already been done by the crews of our other squadrons and fleets stationed at Portsmouth and Plymouth, and elsewhere.

"And whereas we are well assured, that a great part of the seamen and marines on board the said ships at the Nore, abhor and detest the criminal proceedings which are still persisted in on board the said ships, and are desirous to return to their duty:

"Now we, being desirous to extend our gracious intentions of pardon to all such seamen and marines, so serving on board our said ships at the Nore, who may have returned, or shall return, upon the notification of this our royal declaration, to the regular and ordinary discharge of their duty, have authorised, and do hereby authorise and empower, our said Lords Commissioners of our Admiralty, or any three of them, to signify to all such seamen and marines who may have been guilty of any of the treasonable acts aforesaid, or of any mutiny, or disobedience of orders, or neglect of duty, and who have returned, or who shall, upon notification hereof on board their respective ships, return to the regular

and ordinary discharge of their duty, our royal intentions to grant to all such seamen and marines our most gracious pardon, and the promise in our name, to all such seamen and marines, who have so returned, or shall so return, to the regular and ordinary discharge of their duty, our most gracious pardon accordingly. And we do hereby declare, that all such seamen and marines who shall have so returned, or shall so return, to their duty, and to whom the said Lords Commissioners of our Admiralty, or any three of them, shall so promise our pardon, shall receive the same accordingly, and shall be discharged and released from all prosecutions, imprisonments, and penalties, incurred by reason of any of the acts aforesaid, or by reason of any act of mutiny, or disobedience of orders, or any breach or neglect of duty previously committed by them, or any of them; hereby declaring, at the same time, that all such seamen and marines, who shall not take benefit of this our gracious pardon, shall, from henceforth, be considered as liable, according to the nature of their offences, to such punishment as the articles of war and the law have provided for the same.

Given at our Court at St. James's, the 27th day of May, 1797, in the 37th year of our reign.

By his Majesty's command,

PORTLAND.

In the mean time, the resolution of the government to yield nothing to the claims or grievances supported by a mutiny, occasioned by their own infamous neglect, oppression, and folly, excited the delegates, as a matter of course, to acts of

desperation. They proceeded to hold mock courts-martial for the trial of officers and for the punishment of the refractory; vessels laden with provisions were stopped *in transitu*, and eased of their cargoes: for since all supply from the shore had been prohibited, no other means were at hand for procuring fresh meat and water, of which latter necessary, the want was already beginning to be felt. Upon the part of the authorities, great exertion was made to place every tenable position in a formidable state of defence. Sheerness was evacuated by its inhabitants to afford accommodation for the garrison; troops poured in from all sides; a chain was thrown across the mouth of the harbour, to close the entrance to the Medway; red-hot balls were ready to be used at a moment's notice, in case of any emergency; the public treasure-chest was removed to Chatham for safety; and the mutineers were publicly and officially branded with the title of pirates and rebels. Two more of Admiral Duncan's fleet joined the confederate ships with red flags flying; and thus the whole number of ships-of-war then lying off Sheerness exceeded the number of twenty.

On the 2nd of June, Mr. Pitt rose in his place in the House of Commons to move the consideration of his Majesty's message. The very general and absurd opinion, that the seamen had been tampered with by seditious individuals, formed the groundwork for his speech, and for the remedy he proposed.

It seems strange to the unbiassed historian, removed from the heat and party-temper of the day, that the government should have been so enamoured of the rotten system existing in the

conduct of naval affairs, and so convinced of the happy condition of the sailor, as to be blind to the inconsistency of overlaying the British seaman's character with a thick varnish of adulation on account of his loyalty and sterling virtues, in order to refer to the successful artifices of Jacobins and traitors a mutiny so determined that it defied destruction rather than submit! Was it not evident, supposing the service to be heart-whole in its affection to the throne, that some deep and wide causes of discontent could alone have prevailed upon the whole naval armament of Great Britain to insist, more or less, upon a redress of grievances, in themselves altogether without political connexion or party-feeling, and entirely concentrated in the administration of the service?

Mr. Pitt, however, either through blindness or hypocrisy, declining this view of the subject, proposed to restore health, vigour, and content, to the navy, by attaching a greater severity of punishment than the existing law warranted to the crime of seducing any part of his Majesty's forces by sea or land from their duty and allegiance.

Mr. Sheridan powerfully turned the minister's position; and in a speech, of which it is a matter of deep regret we possess only the meagre outline of a newspaper report, eloquently defended the foresight he had displayed from the first, in proposing a sufficient remedy for that serious disaffection, which had been creeping quietly but certainly through the naval service, until it had acquired a strength, a power, and an impetuosity, which threatened to eclipse the glory of the entire empire, and to scatter her marine supremacy like a wreck to the mercy of the winds and the waves.

He said "that whatever difference in political opinion might prevail among gentlemen in that house, they had now arrived at an epoch, when his Majesty had an undoubted right to call upon all his subjects, of every class, rank, and description, for their zealous co-operation in maintaining the due execution of the laws, and in giving every possible efficiency to the measures of government. However justly it might be contended that there did exist strong grounds of reprehension, and causes for future complaint, against the administration, yet such considerations were, in his opinion, at that moment completely out of the question; and the house was now called upon to unite most earnestly with his Majesty against the fatal effects that might be produced by the perseverance in mutiny, and the dangerous disobedience of those ships, mentioned in his Majesty's most gracious message. He once had intended to submit to the house a proposition, the efficacy of which appeared to his mind powerful enough, if adopted, to have prevented the subject of the present discussion from taking place. But such a measure was now become useless, and from the events which had since happened, improper to be applied as a remedy. He lamented that the proceedings of the lords-commissioners of the Admiralty had not proved successful; but he was induced to believe that the failure arose in some degree from the manner in which they were conducted. While some matters were granted, some were refused; and when a board of Admiralty had come down, after giving their refusal to the demands of the sailors in the first instance, nothing was, in consequence of such a compliance, apprehended as a

danger on the part of the seamen, however extravagant their terms might be. In alluding to the proposition which he meant to have submitted to the house, it was his intention to have moved for the appointment of a commission, composed of men of all parties and descriptions, who might in their proceedings have been empowered to examine the claims of the seamen, to have acceded to those that appeared just and well-founded, and to have rejected those which were improper in their nature, and imprudent and dangerous to grant. Thus a commission formed in the way which he wished would have come at once to a definitive conclusion, by expressly stating, "We have gone thus far in agreeing to your demands, and no further will we make concessions which we conceive both dangerous and unjust." Though he sincerely deplored that the proposition had not been carried into execution, he was ready to admit that it was now useless. The fatal perseverance in the mutiny had placed the country in the situation described by the right hon. gentleman (Mr. Pitt); and no person could feel more indignation against the foul incendiaries who had caused it than himself. He was at first induced to think that the mutineers had acted under the impulse of momentary delusion and mistake; but their subsequent conduct convinced him that something more than delusion operated upon their minds, and that a rooted spirit of disobedience had taken the place of those manly and loyal sentiments, with which they had been on former occasions constantly animated. If there was, indeed, a rot in the wooden walls of Old England, decay and ultimate ruin could not be far distant.

In the House of Lords, on the same evening, Lord Granville moved an address to his Majesty, conceived in the terms of the message, which was carried unanimously.

A proclamation, of which the following is a copy, was sent to Sheerness to be distributed in the fleet, and to be posted on the walls of the town.

By the King.—A Proclamation for the Suppression of the mutinous and treasonable Proceedings of the Crews of certain of our Ships at the Nore.

GEORGE R.

WHEREAS, upon the representation of our lords-commissioners of our Admiralty respecting the proceedings of the seamen and marines on board certain of our ships at the Nore, we were pleased to command our said lords-commissioners of our Admiralty to signify to the said seamen and marines our gracious intentions, expressed in our royal declaration under our sign manual, bearing date at St. James's the 27th day of May instant; and whereas our right trusty and right well-beloved cousin and councillor, George John, Earl Spencer, our trusty and well-beloved Charles George, Lord Arden, of our kingdom of Ireland, and William Young, Esquire, Rear-Admiral of the White, being three of the lords-commissioners of our Admiralty, did cause our gracious intentions, expressed in such our declaration, to be signified to the crews of our ships at the Nore, and did require such crews to return to their due obedience accordingly; and whereas it has been represented to us; that some of the crews of our said ships have been desirous of returning to their obedience accordingly, but have been prevented

from so doing by violence, and others of our ships in the actual discharge of their duty have been fired upon, and attempts have been made to prevent some of our ships from proceeding according to the orders of their commanders; and whereas such continued perseverance in rebellious and treasonable attempts against our crown and dignity, after repeated admonitions and offers of our gracious pardon, render it necessary for us to call on all our loving subjects to be aiding and assisting in repressing the same, we have thought fit, by the advice of our privy council, to issue this our royal proclamation, and we do hereby strictly enjoin all our admirals, generals, commanders, and officers of our forces by sea and land, and all magistrates whatsoever, and all others our loving subjects, that they in their several stations do use their utmost endeavours, according to law, to suppress all such mutinous and treasonable proceedings, and to use all lawful means to bring the persons concerned therein, their aiders and abettors, to justice; and we do hereby strictly enjoin and command all our loving subjects whatsoever not to give any aid, comfort, assistance, or encouragement whatsoever, to any person or persons concerned in any such mutinous and treasonable proceedings, as they will answer the same at their peril; and also to the utmost of their power, and according to law, to prevent all other persons from giving any such aid, assistance, comfort, or encouragement.

Given at our court at St. James's, the 31st day of May, 1797, and in the 37th year of our reign.

God save the King.

The admiral's barge conveyed the proclamation on board the fleet. The delegates, having received it, withheld the contents from the sailors until its merits had been canvassed in committee. This undue assumption of authority was not relished by the different crews; and the jealousy occasioned by the conduct of the delegates in this matter speedily took the form of a serious quarrel. When the discord and tumult were allayed, it was decided to reject both the terms of the pardon, and the overtures of the government. The president, in conveying the public sense of the fleet to the admiral, went so far as to state that the proclamation was a foolish production, and calculated only to vex and irritate honest men.

The plans of the delegates instantly acquired method and consistency. They caused all the ships, except two or three frigates unfit for sea, to take up their station off the Great Nore, and to prohibit communication with the mouth of the Thames. With this design the Standard, 64, Brilliant frigate, 28, the Inspector and Swan, both sloops-of-war, extended a chain of prohibition across the Thames, from the Nore Sand to the town of Southend, and as effectually impeded the commerce of the most opulent city in the world, as though an enemy's fleet, too strong for opposition, were sweeping the Channel and maintaining a strict blockade. The fishing-boats, however, were permitted to ply; and a favoured merchantman, from caprice or a show of indulgence, was now and then allowed to sail up the river to her destination, under an order signed "Richard Parker, President." This bold measure paralysed the

commercial world, and struck terror into the most stout-hearted for the consequences which might be naturally expected to follow. Merchandise of immense value, the export and import trade of the first city in the kingdom—vessels, cargoes, and crews—were in the hands, and under the guns, of men driven into open rebellion, at the outset, by negligence, persecution, and injustice. Here was an opportunity for the dictation of terms—here the means of retaliation: to sink, destroy, and plunder—to strike the government in its weakest part—unstring the national sinews; and render those, who turned away from respectful entreaty, the first now to acknowledge the sailor's rights, and to grant redress. Such might have been the vindictive feeling and the reasoning of the goaded and calumniated, though not blameless, seamen. But the victims of the British navy were men, whose noble spirits and dearest affections had writhed and groaned, through years of neglected remonstrance, under substantial wrongs; these, in the highest pitch of exasperation, when despair and the certain results of their conduct stared them in the face, respected the property of their countrymen (except in cases where provision fell in their way), preserved inviolate their attachment to the flag under which they served, and even punished any confederate who might speak contemptuously of their king. Every step we proceed adds a link to the strength of our original proposition, that the mutiny was primarily the effect not of a disloyal repugnance to constituted authority, but of a determined resistance to acts of oppression, cruelty, and hard usage, which human nature had sustained so far

reluctantly, and in the end could bear no longer. What eternal disgrace, then, must for ever rest on the minister and parliament of the day for creating such peril to the empire, in order to persist in such crying oppression?

Under this portentous and gloomy aspect of affairs, the three per cent. consols fell and remained at forty-five and a half; and for a few days the nation seemed to be panic-stricken. The first fear was, lest the fleet should be surrendered into the hands of the French or the Dutch; the second, lest an attack should be directed against the arsenals and forts that lined the Thames and the Medway; the last, and most worthy of apprehension, lest the enemy's fleet should put to sea, calculating upon the disaffection of the service, and meet with no resistance. On every side, danger, disgrace, and misery threatened. While all might be averted by one simple act of justice, a spirit of insanity seems to have instigated the rulers of the nation to avoid such a redress with the utmost pertinacity, and rather trust the preservation of the kingdom to that blind chance which in the end alone saved it from destruction, or at least from such a revolution as would have subverted every existing order and system.

The desperate proceedings adopted by the mutineers had been officially announced to the admiral, and were as quickly carried into execution. The Grampus store-ship, equipped for the West Indies, with a supply of naval and ordnance stores, was seized on her voyage; the stores were unloaded, and distributed among the ships, by command and according to the award of the delegates. The Serapis store-ship, homeward bound from the

West Indies, shared the same fate. On the other hand, government issued orders to detain all outward-bound vessels at Gravesend; so that the river presented the appearance of a forest of sail, held by contrary winds: while to seaward, an immense assemblage of merchant-vessels, brigs, and colliers, were anchored, spell-bound by the authority of the mutineers. In the mean time the condition of the officers, far from being enviable under these circumstances, received aggravation from the close imprisonment to which they were rigorously subjected, although a show of respect was freely accorded to the shadow of their authority. Impatient under the restraint imposed, the officers of the Sandwich applied to the men of that ship for leave to go on shore. To their request the following reply emanated from the admiral's cabin, the council-room of power.

Sandwich, Nore, June 1.

The committee of delegates of the whole fleet have finally determined, that no officer whatever shall be permitted to go on shore, until the return of the people who are at present detained. We are well convinced of the good conduct of our officers who are on board.

By order of the Delegates of the whole Fleet.

In explanation of this order it should be stated, that the Board of Admiralty, before they left Sheerness, directed that all persons visiting the town from the fleet, and suspected of aiding the mutiny, should be imprisoned. Two delegates and other seamen, who had ventured ashore after the promulgation of the order, were seized and committed to custody.

On Friday, June 2, Mr. Pitt presented an address to the king at the levee, from the corporation of the Trinity House. They expressed the deep concern which, in common with all his Majesty's faithful subjects, they felt at the present disgraceful conduct of some of the seamen of his Majesty's fleet, and declared their readiness to support with their lives such measures as his Majesty in his wisdom might think most expedient to adopt for the restoration of good order and subordination among the seamen.

This was the first manifestation of that misdirected public spirit which animated the whole nation as one man against the erring but ill-treated sailors, who for endless years had defended their property, their lives, their liberties, all that made them what they were, under wrongs so crying, that one tithe of the seamen's real grievances, would have driven these bloated sycophants into that treason or energy, whichever it is to be called, which led Charles to the scaffold, and banished the House of Stuart from the throne.

The determination to put down the mutiny at all hazards, seemed to increase with the system of defiance maintained by the delegates. On Saturday, June 3, Mr. Pitt rose in his place, to move, "That leave be given to bring in a bill for the more effectually restraining the intercourse with the crews of certain of his Majesty's ships, in a state of mutiny at the Nore, and his Majesty's subjects on shore, and for the better suppression of such mutiny and rebellion." Mr. Pitt prefaced his motion by saying, "That in consequence of the violent and disobedient conduct of certain of his Majesty's ships at the Nore, after

the acts of hostility which they had committed, and the fatal measures which they had pursued, for the purpose of intercepting all communication by sea with the port of London, and of intercepting the commerce of the country, it became the pressing duty of the legislature to interfere, and to prevent the mutineers from gaining any support from that country whose safety they were molesting, and whose dearest interests they were violating." Leave having been granted, the Bill was introduced. We give the principal clauses. "Be it enacted, That it shall and may be lawful for the Commissioners, for executing the office of the Lord High Admiral, to declare the said ships, or any of them, or any other ships, whose crews shall be guilty of the like offences, *to be in a state of mutiny and rebellion* ; and by such declaration to warn all his Majesty's faithful subjects, to abstain from all communication or intercourse with the crews of the said ships ; and such declaration shall be forthwith published in the London Gazette, and be proclaimed in his Majesty's dockyards.

"From and after the date of such proclamation, it shall not be lawful for any of his Majesty's subjects to have any communication or intercourse with the crew of any ship so declared to be in a state of mutiny and rebellion, or in any manner to assist or supply such ship."

The Bill was read a second time, and ordered to be committed on Monday. On that day, the measure was opposed, upon its principle, by several opposition members. Sir John Sinclair said, "The Right Hon. gentleman (Mr. Pitt), by recommending such rigorous proceedings, had not only drawn

the sword, and thrown away the scabbard, but he had also pushed his punishments so far, that it appeared doubtful whether he would not expatriate the British navy." Another member asked "Whether it might not be advisable to bring back as many men as possible to their duty; and in order to effect this object, he suggested whether it might not be prudent to appoint commissioners to hear the grievances of such crews as might avail themselves of the terms offered in the Proclamation, and endeavour to redress them." This proposition, however, was received by the house with a general cry of No! No! No!

Sir F. Burdett described the bill as altogether repugnant to his feelings; it met with his decided objection, first, because the House had no better ground than an assertion for the presumed interference of other persons with the sailors to excite this mutiny, and he required something more tangible than assertions to authorise his support; next, because he thought the act would produce evil rather than good. It would drive the sailors to desperate measures, and to a position, in which no way would be left for a retreat.

Mr. Sturt believed the Bill would not answer the purpose intended by ministers, and that conciliatory measures would alone avail. He referred the origin of the mutiny to the system of impressment, and enlarged upon the loyalty naturally belonging to the character of British seamen. "He knew the nature of British seamen—he had had the honour of being in the service—there were no men who more dearly loved their country; no longer ago than yesterday, they honoured the monarchy of Great Britain by hoisting the Royal

Standard and firing a salute of twenty-one cannon, in celebration of their Sovereign's birthday. He warned the House of the hazard of firing a single shot against the sailors."

Mr. Pitt, in defence of his measure, avowed that he had a further intention than merely to cut off all correspondence with the disaffected. It was his design and his desire to separate the crews of those ships which had revolted, from all connexion with the country. It was his wish to disunite them from their favourites and friends, and from all which they held dear; that if any of them did retain a spark of kindness and affection, if any valued a father or a brother, a wife, or any other of these beloved objects which are bound up in the co-relative connexions of life, and make a part of its attachments, he might open a new avenue to their hearts by which to introduce the sentiments of love and affection for their country; and if these were the only arguments to authorise the speedy passing of the Bill, he, in his own individual opinion, thought them strong enough.

A curious circumstance occurred upon the division—the ayes went out of the house to be counted in the lobby as usual; Mr. Sturt—to his endless honour be it recorded—was the only member who divided in the negative, and was left by himself in the body of the House; as there were not two tellers upon his side, the speaker informed the other members, when they returned, that it was his duty to declare the majority in favour of the Bill, which was immediately read a third time and passed.

This debate affords an admirable index to the views with which the conduct of the mutineers,

and the remedy for the mutiny itself, were regarded by the great political parties then existing in the legislature. The tory minister and his bought adherents denied that the service was oppressed by severity or wrong, and that any evils which might appear upon the surface were inherent in the system, and therefore irremediable. If, indeed, Parliament should attempt any alteration, with the design of removing defects and improving the condition of the sailor, by securing to him the enjoyment of personal liberty, freedom from impressment, justice upon trial, and comfort in his bodily requirements, then they prophesied an instantaneous dissolution of the whole fabric, and the total wreck of order, efficiency, discipline, and subordinate obedience. On the other hand, men who had seen and experienced the paralysing influence exerted by tyrannical usage and severe regulations upon the habits, temper, and disposition of the seamen, were inclined to visit the present outrages with great leniency, if not with a show of justification. It was said they did not properly distinguish between the grievance and the mutiny; but were ready to extend to the latter, the commiseration which they legitimately felt for the former; that thus they could not bring their minds to sanction measures for crushing infant rebellion with the strong arm of power, but mingled their pity for the cause with the offence; and they were blind to that attribute of spotless majesty, without which no government can maintain its position or respect. Whether cant or truth, selfishness or reason, be the right parent of such an argument, let the impartial future declare. If such arguers be sound, there is no villany the people of a state may not

be bound to undergo, and the "spotless majesty" of government be permitted to perpetrate.

The blockade of the Thames by the fleet continued unremitting for some days; more than 150 colliers were detained, while only a few small vessels managed to obtain a passport, signed *Richard Parker, President*, and reached their destination without further trouble. A ship, bound from London to Liverpool, laden with gunpowder, was boarded by six men, who captured her, and told the captain that the delegates had certain information respecting her voyage and her cargo, and considered her to be an acceptable and seasonable prize. A supply of provisions, however, might perhaps have been as welcome to the mutineers as gunpowder, if we are to credit the story of Parker's seizing a fishing-smack, and after having appropriated the salmon, silencing the owner's remonstrances by placing within his hands a draft upon the Admiralty for necessaries furnished to his Majesty's fleet, under the command of Admiral Parker.

That a considerable dearth of fresh provisions now existed is evident, for besides unloading the cargoes of such small craft as might happen to be bound up the river; the mutineers also made excursions to the Isles of Sheppey and Grain, and carried off, in freebooter's style, the cattle and sheep to their vessels. If, however, the actions of the mutineers betokened an unbending resolution to encounter all dangers, rather than yield an unqualified submission, the opposition of the nation, equally blinded by passion on their side, rose with increasing vigour and determination. All classes answered to the energetic demonstrations which took place within the walls of Parliament.

Government, with wondrous sagacity, now resolved upon manning ships of the line with volunteers, to act against the death-defying veterans of the rebellious fleet. Several vessels also were offered by private individuals for the exigency of the crisis. Sir Erasmus Gower was appointed to take command, and hoisted his broad pennant on board the Neptune, 98 guns. All the officers belonging to the East India Company's merchant vessels, who happened to be at home, tendered their services. The military officers connected with the Company received orders to repair to Sheerness, and to place themselves at the disposal of Lord Keith; while those connected with the sea-service were directed to report themselves at Woolwich to Sir Erasmus Gower. The younger Brothers, and all persons acting under the authority, of the Trinity-House Corporation were required to send in their names and address, and to hold themselves in readiness for immediate service. The Watermen's Company, and other chartered bodies, sent down hundreds of volunteers to join the expedition. Nor was this zeal confined merely to the professional classes. The merchants and ship-owners of the city of London held a large and influential meeting at the Royal Exchange, when it was resolved; "First, that the disorderly and mutinous proceedings of part of the fleet at the Nore were witnessed with extreme concern, indignation, and abhorrence; secondly, that no seaman who had taken part in the disturbances should henceforth be employed without a certificate of his having returned to his duty; thirdly, that a public subscription should be raised, to detect and bring to public justice such

lurking traitors as may have excited and fomented the mutiny at the Nore."

Considerable sums were subscribed and rewards offered, according to the terms of the resolution above described. A gratuity of two guineas was voted to each petty officer and one guinea to each seaman, who should volunteer to serve on board his Majesty's ships of war and gun-boats, under Sir Erasmus Gower. About this time the following address was penned and despatched to the fleet at the Nore by the sailors of Sir Roger Curtis' squadron, at Spithead.

Address from the Seamen at Spithead to their Brethren at the Nore.

Brother Sailors,

It is with the utmost concern we see that several ships' companies continue in a state of disaffection, and illegal proceedings, notwithstanding every demand made by our brethren in Lord Bridport's fleet have been most graciously granted to us, by his Majesty and both Houses of Parliament assembled. We shall lay some lines of our proceedings before the public view. When we requested Sir Roger Curtis to go from Torbay round to Spithead, we were actuated by no bad principles; there was no disaffection to our king and country—no fresh demands on our side, but what had before been made by our brethren of Lord Bridport's fleet; as we had before been privy to all, we only wished to join our brethren, as in Torbay, where we lay, many reports prevailed which exaggerated matters greatly, and as reports can never be relied on. It was never our intention

to distress our country, or leave it exposed to the ravages of the enemy : no, should the enemy have dared to take the advantage of our situation, we were unanimously resolved to chastise their insolence. Our views were honourable, we were perfectly sensible that no state, no body of men could exist without proper subordination and discipline was maintained ; our general request was, our wages to be raised, our provisions to be augmented, and our private grievances to be redressed : all this was granted, the king's most gracious pardon given us, and an act of indemnity and total oblivion passed ; we returned cheerfully to our duty (which by-the-by we never neglected), and we believe when we say, should the enemies of our country dare to meet us they will be rougher handled than ever they have been yet, we not only speak the sentiments of our own squadron, but the unanimous voice of our brethren in Lord Bridport's fleet.

"There is no doubt but evil-minded and designing men wish to take advantage of our honest openness, intending to make us their tools to subvert our most excellent constitution, but we are above their devices—we think ourselves capable of judging for ourselves, without being led by the nose by any set of men from on shore whatever. We will never desert the country which gave us birth, and for which we profess a most sincere esteem. French principles and their agents, under whatsoever mask they may attempt to work upon us, we abhor ; and should we ever get any such persons into our hands, we are resolved to bring them to justice. It is therefore our hope that all ships' companies who labour under any grievances

will not forget their country, or by continuing in an unsettled state give our enemies any advantage; but should our enemies dare to lift up their heads, and come out of their hiding-holes, we hope our brother seamen will unanimously agree to prefer the public good to their private interests, and unanimously agree to go, meet and chastise the insolence of our enemies, and to preserve the unsullied honour of the British flag.

With this view we have drawn up this address, hoping it will have a desirable effect upon such of our brethren as are still in an unsettled state, which should it do, will entail a perfect satisfaction upon the seamen in Sir Roger Curtis's squadron, as likewise upon all our brethren in Lord Bridport's fleet. We have wrote these lines while unmooring, and preparing to go out to sea, to face our enemies, and to protect the commerce of our country, which as seamen it is our duty to encourage to the utmost of our power. We have a full reliance that all our brother seamen, who labour under any grievances, will make no unreasonable demands, nor delay an amicable settlement by standing out for trifling objects.

That all differences may be happily and soon settled, is the sincere wish of the seamen in Sir Roger Curtis's squadron.

Prince.
John Lindsay,
William Horton,

Cæsar.
William Oliver,
John Gilder,

Cumberland.
William Smedley,
Thomas Bridges,

La Juste.
Patrick Rowe,
Michael M'Cue,
William White.

Triumph.
Arch. M'Arthur,
James Maddock.

Formidable.
George Horser,
David Nicholls.

Ganges.
Henry Edwards,
John Howe,

Hector.
Edward Cavenagh,
David Parry.

Bedford.
Robert Berry, X
Henry Hide. X
} Their marks.

Spithead, 4th June.

The delegates of the fleet at Plymouth, following the example of their brethren at Spithead, caused the following address to be printed and distributed among the ships at the Nore.

Brother Seamen, Hamoaze, June 6, 1797.

We on board the different ships at Hamoaze have consulted together concerning your present proceedings, and understand that you are still keeping forward your cause. We therefore wish to know the grievances that make you still dissatisfied, as we have had every grievance settled here with us, and that we can further assure you that the grand fleet is still at sea, and in greater spirits than ever they were; and we your brothers expect that you will be satisfied with the same terms as we are, which are such as all true-hearted loyal British seamen should be satisfied with. We trust that you will immediately return to your regular duty, as we have done, and that you will be satisfied as we are; your present proceedings are a scandal to the name of British seamen. Immediately answer this to us, whose names are hereunto subscribed, being the former delegates of the fleet in Hamoaze, in the name of all the ships' companies.

Signed.

Cambridge.
John Leeman,
A. Mackenzee,

Leviathan.
George Hoggan,
R. Mumford.

Magnanime.
J. Roberts,
W. Morn,
Artois.
Thomas Mein,
Nich. Pearce,
Galatea.
James Payne, X
M'Carthy, X } Their marks.
Greyhound.
G. Elphinstone,
J. Archison,
Cerberus.
John Johnson,
John Snowden.
Gibraltar.
George Walker,
J. Parkinson.
Zealand.
John Roberts,
Ryan Reed.

To the Seamen of his Majesty's Fleet at the Nore.

The addresses thus penned and delivered availed nothing, as may easily be supposed; in fact, their tendency was rather to aggravate than to allay the mutiny. They proceed upon the fallacious assumption, that no grievance worthy of serious attention could possibly exist, besides the list of wrongs on which the seamen at Spithead had managed to obtain redress, by pertinaciously holding out in a state of mutiny, until Lord Howe and the Admiralty made the concessions demanded. The remonstrants forgot this main point in their former position; they argue with the advantage of men who have secured and enjoyed a triumph; they silently pass over the alternative to which they might have been reduced, provided the government should have exercised a similar degree of obstinacy and unjust folly in their case, as in that of the mutineers at the Nore. Were they prepared to submit upon a bare appeal to their loyalty, under the conditions of a royal pardon, even without the concession of their claims? Did they not maintain a position of defiance up to the moment that government trembled and repented? Besides, what right had they to pre-

sume that the demands of the seamen at the Nore exceeded the bounds of reason and moderation? Might not the latter have answered with confidence, "You resisted until your pay was augmented, and your provisions increased; we aim at the abolition of still greater enormities, and taking courage from your example, we will never strike the red flag, before the abominable system of impressment shall have been abolished, petty tyranny crushed, and the rights of liberty confirmed. These may seem trivial matters in your opinion, but to us they are infinitely more important than the personal comforts which you have nobly wrested from the hands of a reluctant administration."

Matters on board the mutinous ships, however, were not proceeding in a manner satisfactory to the delegates. With the exception of the vessels most stanch to the cause, on board of which vessels were the leading spirits in the rebellion, distrust and an apprehension of consequences began slowly to work a way towards reconciliation and submission. Those least tainted with disaffection eagerly watched for an opportunity to escape out of the dilemma, although from the vigilance exercised where suspicion attached, and from the heavy metal of the superior first-rates, the attempt could scarcely be hazarded without extreme peril. On the 6th of June, however, the Serapis, 44 guns, Captain Duncan, and a sloop-of-war, the Discovery, daringly braved the fire of the whole fleet, and escaped, but not without considerable damage. Unfortunately, at the critical moment, when this additional desertion might have scattered dismay, and dissolved the confederacy, four more

men-of-war arrived at the Nore from Admiral Duncan's fleet, and reassured the wavering spirits of the desponding. The Agamemnon, the Ardent, the Leopard, and the Isis, anchored at the Nore late on the evening of the 6th, under the entire command of the quartermasters and delegates, the pilots taking charge as usual. As they came to their station, the whole fleet was directing a heavy fire of great guns and musketry against the unfortunate Serapis.

A scene at this time occurring on board the mutineers' fleet has been described by a weak egotistical writer, the late Captain Brenton, then lieutenant on board the Agamemnon: his work, which he subsequently published, bears the title of "The Naval History," a composition of neither weight nor value; and the gossiping nature of which only acquires an interest in the particular case of the mutiny, from the fact of its author having been a prisoner in the fleet at the time. The degree of reliance, therefore, to be placed on his impartiality must be a matter of judgment with his readers:—

"It is impossible to describe the heat and irritation of the seamen at the Nore at the time of the arrival and the accession of the four ships of the line to their cause. The insolence of the leaders was raised to such a height, that it was difficult to say where their excesses might end; and it was intimated by some of the delegates, who came to *visit* the Agamemnon, that violence might be offered to the officers and their adherents. At sunrise I was awoke by the report of great guns and musketry, and saw what I supposed to be officers and men hanging at the yard-

arms of some of the ships. They were run up in the smoke of the guns, in the manner usually practised at naval executions. While hanging, volleys of musketry were fired at them; and we concluded that we should very soon share the same fate: nor was it till two or three hours afterwards that we were undeceived, and informed that the figures suspended were only effigies meant to represent the Right Hon. William Pitt, whom they familiarly termed 'Billy Pitt,' and considered as their greatest enemy."

The people on shore beholding from a distance these mock executions, which were repeated day by day, fancied that the delegates were in reality punishing with death certain refractory seamen; and accounts, full of indignation and romantic detail, were forwarded to the newspapers in London. Among other reports, it was asserted, with a fair show of probability, that the delegates were watching for the Princess of Wurtemberg, whom they proposed to detain as a hostage, if she should pass the Nore in the St. Fiorenzo, on her voyage from Harwich to Germany, as was the general expectation.

Sir Erasmus Gower had by this time collected a considerable number of ships of all classes, and was only waiting for orders to sail against the mutineers. Since savage obstinacy and unqualified denial of every concession, with hostile threats and acts of parliament, calumny and abuse, had failed to lure or terrify the seamen back into the bonds of discipline, the ministry now began to sound the note of still stronger measures of coercion and punishment against men whom the guilt of government alone had forced into the position of the empire's most dangerous enemy.

Here for a moment let us consider whether the folly or the crime of the chief minister of the crown was the greater. The mutineers of the Nore put forward certain claims, and insist that the lords of the Admiralty shall come down to Sheerness to investigate them. The government, without the slightest inquiry as to the justice or injustice of their claims, positively refuse to grant the slightest particle of any of them, and absolutely declare the Admiralty shall not come down to Sheerness. The mutineers take bolder measures; the minister becomes frightened; and in order to place himself in the most false and contemptible position possible, sends down to Sheerness that very board of Admiralty which, but a few days before, he had declared in writing should never visit that port; at the same time that he despatches them on their inglorious errand, he utterly deprives them of power to confer any benefit or effect any good—a melancholy spectacle of bigoted obstinacy in maintaining oppression, and of wavering imbecility in the pursuit of any other object. The unlettered seamen, elated by the confessed weakness of the government, now lay themselves open in their turn. The nation comes to the support of the minister; and the seamen, lowering their tone, are ready to submit for two months' wages and pardon. The minister, with the true character of the despot, now abject and now haughty, as chance, not principle, may render him, spurns this trifling request; and for this trivial matter, which would have given the cabinet a great moral triumph at a price unworthy of being mentioned, allows the empire to be thrown into the wildest convulsion, the monarchy to be brought

to the brink of ruin, the commerce to be stopped, and credit to be paralysed.

In accordance with the terms of the act recently passed, for the more speedy suppression of the mutiny, a full board of the Admiralty, consisting of the seven lords in commission, signed a declaration that the fleet at the Nore was in a state of open rebellion. The most active preparations were still continued at Sheerness; and as a report had gained ground that the delegates intended carrying off the vessels to Ireland or America, every exertion was made to prevent them from obtaining supplies of fresh water, of which it was notorious they were in great want. The steps taken by government, supported as it now was by a nation terrified out of all reason, by their own critical position, induced the delegates to relax in their proceedings, and to make overtures once more for terms of pardon. Lord Northesk, captain of the Monmouth man-of-war, had represented to the delegates his anxiety to discharge his duty as a peer in the House of Lords. His request was granted without hesitation. On Tuesday, June 6, however, before leave of absence was officially notified, the two delegates of the Monmouth were rowed on board that ship, and informed Lord Northesk that it was the pleasure of the committee to demand his lordship's presence on board the flag-ship, as they had proposals to make for an accommodation of existing difficulties. His lordship immediately attended, with only one officer. He found the convention, composed of sixty delegates, sitting in the state-cabin, with Parker at their head. Before he entered upon business, the president

asked the individual in attendance upon Lord Northesk who he was.

He replied, "An officer of the Monmouth, who accompanied his captain in the capacity of secretary, from a supposition that his services might be required upon the present occasion."

"Who knows him?" demanded the president, directing his question to the committee; "say, delegates of the Monmouth, what kind of man is he?"

The two delegates answered, "that he was a worthy good man;" on which it was unanimously resolved that he might attend the conference.

Lord Northesk was then addressed by Parker, who told him, "that the committee had resolved upon a declaration of the terms, by a concession of which alone, without the smallest alteration, they could give up the ships; and that they had sent for him, as a known seaman's friend, to be charged with their transmission to the king; from whom he must pledge his honour to return on board, with a clear and positive answer, in fifty-four hours." Parker next read the letter, which was said to contain some rough compliments on his Majesty's good qualities, and many coarse strictures on the evident demerits of his ministers.

His Lordship expressed his willingness to convey the letter to its destination, as they desired, but said he could not, from the unreasonable nature of the demands, flatter them with any expectation of success: They insisted upon an unreserved and entire compliance, and threatened, in case of refusal, to put to sea with the whole fleet. Lord Northesk was then rowed on board the Duke of

York Margate Packet, with three cheers from the Sandwich, and with the following state paper to ratify his credentials.

Sandwich, June 6, 3 p. m.

To Captain Lord Northesk,

You are hereby authorised and ordered to wait upon the king, wherever he may be, with the resolutions of the committee of delegates, and are directed to return back, with an answer to the same, within fifty-four hours from the date hereof.

R. PARKER, President.

Two of the conditions inserted in the letter to the king were exactly the same as those pertinaciously urged without success by the Spithead mutineers, namely, "that no punishment should be inflicted on board a king's ship, until the offender had been previously tried, and convicted by a jury of seamen; also, that three-fifths of all prize-money should be shared among the seamen and petty officers." We regret that we are unable to lay before our readers this important document, the absence of which prevents us from ascertaining whether any modification of the original demands had been effected by the force of circumstances, and the expressed opinion of the country at large. Immediately after his arrival in London, Lord Northesk repaired to the Admiralty, and, after a communication with the board, was admitted to an audience of the king, together with Earl Spencer, who accompanied him: the result was, a prompt and resolute denial of any further concessions. Captain Knight, of the Montague, who had obtained leave of absence from his ship for four days, was charged with the king's reply; he also con-

veyed the two following proclamations, which had been issued by the Admiralty, in conformity with the act lately passed for the suppression of the mutiny.

At the Court of the Queen's House, June 6, 1797. Present the King's most excellent Majesty in Council.

Whereas, by an act passed in the present session of parliament, intituled, "An act for more effectually restraining intercourse with the crews of certain of his Majesty's ships, now in a state of mutiny and rebellion, and for the more effectual suppression of such mutiny and rebellion," it is enacted, that it shall be lawful for the commissioners for executing the office of Lord High Admiral, or any three or more of them, being thereto authorised by order of his Majesty in council, to declare the crew of any of his Majesty's ships, who have been guilty of acts of mutiny and rebellion, and who still persist therein, and also the crew of any other of his Majesty's ships, who shall be guilty of any of the like offences, to be in a state of mutiny and rebellion; and by such declaration to warn all his Majesty's faithful subjects to abstain from all communication or intercourse with the crews of the said ships; and it is further enacted that it shall be lawful for the said commissioners, or any three or more of them, in such manner as his Majesty shall authorise and require, to accept the submission of the crew of any ship which shall have been so declared to be in a state of mutiny and rebellion, or of any person or persons, part of such crew, or of any person or persons on board of any such ships, or to declare any such person or persons to have returned

to their duty, and thereupon to declare the person or persons, whose submission shall be so accepted, or who shall be so declared to have returned to their duty, to be exempted and relieved from all or any of the penalties and forfeitures in the said act contained, in such manner and under such terms and restrictions as his Majesty shall think fit: and whereas the said Lords Commissioners have represented to his Majesty, that it appears to them that the crews of the ships hereinafter mentioned—that is to say, the Sandwich, Montague, Director, Inflexible, Monmouth, Belliqueux, Standard, Lion, Nassau, Repulse, Grampus, Proserpine, Brilliant, Iris, Champion, Comet, Tisiphone, Pylades, Swan, and Inspector, have been guilty of acts of mutiny and rebellion, particularly by taking the command of the said ships from his Majesty's officers, by combining to obstruct the trade and navigation of the port of London, and by other acts of the most heinous nature, and that some of such crews had actually fired on divers of his Majesty's ships, and that all the said crews still persisted in such their mutiny and rebellion.

His Majesty, in pursuance of the powers vested in him by the above-recited act, is hereby pleased, by and with the advice of his Privy Council, to authorise, and by this his order in council doth authorise, the said commissioners for executing the office of Lord High Admiral, or any three or more of them, to declare the crews of the said ships to be in a state of mutiny and rebellion, and to warn all his Majesty's faithful subjects to abstain from all communication or intercourse with the crews of the said ships, in the manner directed in the said act.

And his Majesty is hereby further pleased, with the advice aforesaid, to authorise and require the said commissioners, or any three or more of them, to accept the submission of the crew of any of the said ships, or of any person or persons part of such crew, or of any person or persons on board of any of the said ships, or to declare any such person or persons to have returned to their duty, and thereupon to declare the person or persons whose submission shall be so accepted, or who shall be declared to have returned to their duty, to be exempted and relieved from all or any of the penalties and forfeitures in the said act contained, in such manner and under such terms and restrictions as his Majesty shall think fit.

W. FAWKENER.

By the Commissioners for executing the office of Lord High Admiral of Great Britain and Ireland, &c.

By virtue of an order of his Majesty in council, bearing date the 6th day of June instant, and in pursuance of the provisions of an act passed in the present session of parliament, intituled "An Act for more effectually restraining intercourse with the crews of certain of his Majesty's ships now in a state of mutiny and rebellion, and for the more effectual suppression of such mutiny and rebellion," we do hereby declare, that the crews of his Majesty's ships hereinafter mentioned—that is to say, the Sandwich, Montague, Director, Inflexible, Monmouth, Belliqueux, Standard, Lion, Nassau, Repulse, Grampus, Proserpine, Brilliant, Iris, Champion, Comet, Tisiphone, Pylades, Swan, and Inspector, having been guilty of acts of mutiny and rebellion, and persisting therein, are, and are to be deemed and taken to be, in a state of mutiny and rebellion: and, in further pursuance

of the provisions of the said act, we do hereby warn all his Majesty's faithful subjects to abstain from all communication and intercourse with the crews of the said ships; and we do hereby notify, that by virtue of the said act, any person who shall wilfully and advisedly have any communication or intercourse, whether personally or by letter, message, or otherwise, with the crew of any of the said ships, or with any person or persons being part of such crew, or with any person who shall, after this day, remain on board any of the said ships, will on conviction thereof be adjudged guilty of felony, and suffer death; and also, that any person who shall wilfully and advisedly in any manner supply and comfort or assist such crew, or any part thereof, or any person remaining on board the said ships after this day, will, on conviction thereof, be adjudged guilty of felony, and suffer death: and also, that any person who shall wilfully and advisedly in any manner supply and comfort or assist such crew, or any part thereof, or any person remaining on board any of the said ships, after this day, will, on conviction thereof, be adjudged guilty of felony and suffer death: and also, that from and after this day, all wages and other allowances payable to the crews of the said ships will cease and determine, and be no longer payable, and that they will respectively from thenceforth forfeit and lose all wages, and other allowances, and all shares of prizes then due to them respectively, and all benefits and advantages to which they might otherwise be entitled from Greenwich Hospital, or the Chest at Chatham, and all other benefits and advantages whatsoever to which they might otherwise be entitled in consequence of their having served as seamen

or marines on board his Majesty's ships; and that all persons voluntarily remaining on board any of the said ships, after having knowledge of this declaration, will, on conviction thereof, be adjudged guilty of piracy and felony, and will suffer death.

And whereas the penalties of the said act do not extend to such communication or intercourse with the said crews as may be carried on by our order or authority, or by the order and authority of such person or persons as may be authorised by us to grant permission, and give directions in that behalf, we do hereby notify, that we have authorised Charles Buckner, Esq. vice admiral of the white, and commander in chief of his Majesty's ships and vessels in the river Medway, and at the buoy at the Nore, to hold communication or intercourse with the said crews, and to grant permission and give directions in that behalf. And we do further notify and declare that we are authorised by his Majesty, in pursuance of the said act, to accept the submission of the crews of any of the said ships, or of any person or persons on board of such ships, and to declare any such person or persons to have returned to their duty, and thereupon to declare the person or persons whose submission shall be so accepted, or who shall be so declared to have returned to their duty, to be exempted and relieved from all or any of the penalties and forfeitures in the said act.

Given under our hands, and the seal of office of Admiralty, this 7th day of June, 1797.

Spencer,
Arden,
Charles S. Pybus,
H. Seymour,
Ph. Stephens,
I. Gambier,
W. Young.

By command of their Lordships,
EVAN NEPEAN.

In the Thames matters began to assume a more favourable aspect; the Lancaster man-of-war, which lay off Purfleet, as was before stated, had been effectually tampered with by the delegates from Sheerness, and was only prevented from dropping down the River and joining the fleet at the Nore, by unremitted vigilance, and a determination upon the part of government to sink her by a destructive fire from the batteries, if she should offer to weigh anchor. Time for deliberation, a want of union, distrust of each other, and the formidable preparations which were going on before their eyes for the signal punishment of the mutineers, began to influence the crew of the Lancaster; and as each day passed without a decisive blow from the Nore, so the ardour of resistance cooled down, and the favourable opportunity arrived to turn the wavering resolution of the sailors towards their allegiance. Besides, they were aware that gun-boats had been manned and appointed to reduce them to obedience. Weighing these circumstances, Captain Wells seized the favourable juncture, and signified his desire to address the men, to which they cheerfully acceded. He stated to them the decisive steps taken by government, with the support of parliament, and the concurrent voice of the nation; and concluded by observing, that he had now done his duty in pointing out their danger, and that they must abide by the consequences. His speech produced its intended effect, for, in the course of the evening and night watch, a poll was taken, and it appeared that a considerable majority decided upon requesting their Captain to convey their proposals to the Admiralty. They solicited

the king's pardon, the release of such of the crew as were in confinement, and a change of certain officers. Upon these conditions they promised to return to their duty. Captain Wells executed his commission, and placed their overtures before the Board; Mr. Pitt assisting at their deliberations. In the end a compromise was effected, and the Lancaster hauled down the red flag.

With a fixed determination to cut off all means of escape from the mutinous fleet, government, at the suggestion of Mr. Sheridan, adopted the bold and clever measure of taking up all the buoys and pulling down all the beacons in the three channels leading to the Thames. In consequence, the following notice was issued by the Trinity House.

Trinity House, London, June 8, 1797.

"His Majesty having thought fit, by his order in council, to direct the buoys in the several channels to be removed, and the beacons to be cut down;

Notice is hereby given, that the several buoys in the North, Nub, and Queen's Channels are removed, and the beacons cut down accordingly: and further notice will be given as soon as it is judged proper to replace the same."

This order was executed on Wednesday the 7th, although not without danger to those employed on the service, for the master of one of the Trinity boats, in removing the beacon nearest the Nore, was surprised by a row-galley, manned by forty sailors, who had almost succeeded in taking him and his crew prisoners. Another desertion proved a want of harmony in the fleet with the designs of the delegates, and, at the same time, evidenced

the nature of the system which was pursued to preserve the semblance of unanimity. The Firm, gun-boat, commanded by Captain Price, escaped by cutting both cables in the dead of night, in a heavy gale of wind. She managed by good seamanship to make Sheerness. This vessel had been ordered to proceed with the fleet against Tilbury Fort; but the report of the furnaces heated with red-hot shot is supposed to have disconcerted the plan. In order to prevent the recurrence of similar escapes, the disposition of the ships was changed; they were spread in an uninterrupted line across the channel, with the most determined crews placed at the extremities, or stationed at regular distances throughout. The line was double, running nearly east and west from the Great Nore Sand; the Sandwich, with the red flag flying at her main, was moored next to the shore, and closed the lines to the westward, while a chain of frigates guarded the opposite extremity.

On Thursday morning, June 8, Captain Knight went on board the Montague, taking with him copies of the bills and proclamations on the subject of the mutiny; the yards of all the ships were manned, and he was treated with a great show of respect. All the documents were seized by the delegates, who proceeded forthwith to hold a council upon the contents. It was debated, in the first instance, whether or not full information should be communicated to the fleet at large; the decision, however, prevailed that the president should visit each vessel, and declare to the crews the general purport of the measures directed against them, with such omissions as might best

suit the designs entertained by the committee. It would appear that the government condescended to give no other reply to the letter addressed by the delegates to the king than the transmission of the papers, specified above, through the hands of Captain Knight. Parker, accompanied by the principal members of the committee, proceeded on board each ship in the fleet, and having assembled the crew, read the extracts already sanctioned by the committee, omitting, however, all mention of the pardon graciously offered to those who should return to their duty within the prescribed time.

The following scene is said to have taken place on board the Monmouth, after he had finished reading the extracts. He addressed the sailors in these terms:—"Brothers, I have told you the contents of the king's proclamation, which ought to excite our indignation. It calls us *rebels*—are we so? (a cry from all sides, No! no!) Why, then, our countrymen are rebels to us in calling us so: I say we are all honest men; I and my brother delegates are all united, and acting in the cause of humanity; and while life animates the heart of *Dick Parker*, he will be true to the cause." When Parker had finished his speech, Gregory, another delegate, commented upon the terms of the proclamation in strong and vehement language. As he was leaving the ship, Parker told the officers that he had heard a good report of them from the seamen, and congratulated them upon the good opinion they had earned by their honourable and humane behaviour. On board the Ardent, Parker alluded to the report that he had made a private purse of the money entrusted to the delegates by the seamen for common ser-

vices: it is said, he remarked "That is false; the fact is, I owe my washer-woman eighteen pence, and have not even money to pay her." Upon which one of the men shouted, with more truth than discretion, "Why, then, you are a precious admiral, indeed!" This was the only occasion upon which Parker visited all the ships in succession; but he was rowed through the fleet every day, with one or two exceptions; and as he passed, the shrouds were manned and the crews cheered. The fearful drama, however, was now drawing rapidly to a close. The crisis had arrived; the critical hour, when the severe test was to be applied, and the discovery made, how far the sailors were prepared to follow their leaders, in this desperate career. The attitude maintained by the government; the silence of the king to their letter of remonstrance; the assembling of an armed force, manned by crowds of volunteers, and commanded by officers celebrated for their skill and intrepidity; the menacing aspect of the batteries on shore; the concentration of a large body of military prepared to act at every point; the cutting away of buoys and beacons;—these manifest symptoms of a fixed resolve to put down the mutiny at all hazards, while an attack by sea and a repulse by land awaited the least movement upon their part, indicated to the mutineers that the time for an unconditional submission was at hand, unless some master-stroke of policy or some daring exploit should be called in aid to extricate them from a position in which humiliation and destruction threatened them from every side.

The course to be pursued, not merely for success to their overtures, but for actual preservation, en-

gaged the anxious deliberations of the committee. The disaffected and almost rebellious state of Ireland held out an inducement to sail to her shores, and to seek co-operation and sympathy at the hands of a people impatient of the British government. But then easterly winds prevailed, making the attempt impracticable.

Next, a proposition was made by one of the delegates, more desperate and uncompromising than the rest, to carry the whole fleet into one of the French ports. But the rough and, in the main, faithful spirit of an English sailor revolted at the idea of arming a people whom he had been taught to consider, from his cradle, as a legitimate, natural, and most bitter enemy, with the elements of that power which had so often crushed in triumphant victory their most magnificent armaments. America next presented itself for their consideration; but pride equally forbade them to seek shelter in that quarter, and to deliver the British flag into the hands of a revolter from the mother country. Then the possibility was discussed of running into some foreign port, and selling the ships to any government which might be disposed to purchase them; but here again the same arguments prevailed as before: such an act would tarnish the honour of British seamen, no less than a deliberate and open surrender of the fleet, without pay or reward, to the enemy. Last of all, it was determined to break up and separate: the Standard to be ordered to Cherbourg; the Monmouth, Lion, Nassau, Sandwich, and Director, to the Frith of Cromarty, in Scotland; the Proserpine, Hound, Inflexible, and Comet, to some colony, which was not mentioned.

By this plan, the delegates expected to distract the attention of government, to place themselves out of danger, and perhaps, in the event of the enemy putting to sea with a commanding force, to extort terms by the pressure of circumstances. But then the buoys had been taken up, and in this way their plans were disconcerted; for several of the ships had expressly declared they would not stir from the Nore, with the certainty of running aground and suffering shipwreck, if they should weigh anchor in the absence of pilot, buoy, or beacon, to conduct them safely through the Channel. Such was the perplexity and disunion in the council of the delegates. It was evident, however, that something must be done, and that immediately, to paralyse the government and to avert impending ruin.

Therefore the order was made, and the fiat sealed, to put to sea, with a view of deciding upon their destination, and upon the measures most advantageous to be adopted, when they should have once broken away from the net, which was the more tightly drawn around them by each moment of delay. This was the emergency which, in extraordinary times, draws out extraordinary characters. But, fortunately for the country, the fleet possessed no man of transcendent ability to give force to desperate measures; no man of superior genius to found his own individual greatness upon the downfal of his country's glory; no man of mysterious influence to combine, direct, and control the rebellious spirits by which he was surrounded. Had there been such an one, a Cromwell or a Napoleon, disguised under the rough aspect of a common sailor, the

consequences of that night's deliberations might have altered the destiny not only of England or of Europe, but of the whole habitable globe; as the torrent of the French revolution, under the mighty genius of Bonaparte, actually did affect mankind at no great subsequent interval of either time or space. To suggest here the bold decisive steps which men thus driven to desperation might have taken to compel the nation to do them justice, might be misinterpreted, or turned to an evil advantage at some future day; but it is easy to glance at the one or two desperate moves upon the board, against which no energy of the nation could have availed.

On Friday morning, the 9th of June, Parker made the signal for sailing. The fore-top sail of the Sandwich was loosed; a gun was fired; the signal was answered by all the ships; the wind was favourable—it was blowing a fresh breeze from the south-east: but although answered, the signal was NOT obeyed. And here is the last convincing proof that a reform of intolerant abuses alone, and no wish to injure their native land, had been their aim throughout. For this they had forfeited even life, yet would not strike the country that had so wronged them; a sentiment of affection at that instant obliterated all remembrance of grievances unredressed, of claims disregarded, and countrymen more obdurate and selfish than themselves. No hand moved to weigh anchor or to unfurl sails. The fleet remained stationary, but the confederacy was shaken to its core; the link was broken, the charm dissolved. The soul of the mutiny had already fled; the bloodier fate of its supporters was to follow.

CHAPTER IX.

THE proclamations, which had been hitherto in part suppressed, now gained circulation through the fleet. When the sailors became acquainted with the fact, that pardon had been offered to all who should return to their duty, they felt aggrieved that the delegates should have kept back this important information. The proposition to carry the fleet out to sea, aggravated feelings of dissatisfaction, which increased into distrust and disunion. Water and provisions were now frightfully deficient, and the means of obtaining fresh supplies had been effectually cut off. The Sandwich was in a most deplorable state of misery and confusion, and suffered from a want of the mere necessaries of life. A little biscuit and junk formed her whole stock of provisions; her water was putrid, and so scarce that two sentinels kept continual guard over it. Sentinels were also posted in every quarter of the ship, to maintain order; and the cries of women and children, who had not been permitted to go on shore, were lamentable beyond description. If this were the wretched condition of the flag-ship, it may be supposed none of the rest enjoyed a greater share of comforts. A rapid change in the sentiments of the respective crews prevailed and gathered strength; some were desirous of resigning the command of the vessels into the hands of the officers, and only waited for

a favourable juncture to give effect to their wishes; others eagerly prepared for desertion, determining to brave the guns of the mutineers, rather than endure their yoke any longer. The Leopard, of 50 guns, under the command of Lieutenant Robb, in the absence of the captain, who had been sent on shore, earned the distinction of being the first ship to abandon the cause, after the signal had been made for the fleet to sail *. The Leopard had throughout been distinguished for violence and zealous attachment to the delegates; but on Friday the 9th of June, Mr. Robb perceived a change in the disposition of some of the petty officers, and resolved to turn it to advantage. Collecting the officers of the ship and a few seamen on whom he could depend, in the ward-room, he turned the aftermost guns forward, primed and loaded, and placed trusty men by them ready to fire, should it unfortunately prove necessary; the ward-room door was then thrown open, and while it thus unmasked his battery which commanded the main-deck, himself and his followers, well armed, rushed forward among the people, and ordered them to surrender: some little resistance was at first offered, but soon subsided. One of the seamen, however, named John Stanton, attacked Lieutenant Buchanan in the fray, and drove a half-pike right through his body; the unfortunate officer lingered for a few days and then expired. Another officer

* This ship, the Leopard, became afterwards still more distinguished in history, under the command of the gallant and able Captain Humphreys, now Sir Salusbury Devonport, K.C.H. This officer, under circumstances requiring the highest decision of character, captured the American frigate Chesapeake, and searched her for the British deserters found on board, whence arose the second American war. See James's Naval History.

ran down with a party to the lower deck, seized the foremost guns, which were pointed aft, and, by pouring vinegar into the vents, completely disabled them; the same officer awaited orders to cut the cables.

In the mean time, those on deck were not idle; a party went aloft and loosed the top sails, which in a few minutes were sheeted home, the jib run up, the cables cut, and she passed through the fleet, exposed to its fire, without sustaining any injury. Mr. Robb conducted his ship in the most gallant and seaman-like style up the Thames, and when out of gun-shot, had run as far as fading day would permit. He then came to an anchor, and put eighteen of the most daring of the ring-leaders into close confinement. The example of the Leopard was soon followed by the Repulse, of 64 guns; but this ship lay too far westward to weather the Nore Sand, and gain the river Thames; she was therefore obliged to run for Sheerness harbour. Unfortunately, the tide at that time did not serve; it was about three o'clock P. M. and there was not sufficient water to carry her over the shoal: this the pilot in vain represented to the seamen, who in this ship were mostly in favour of government, and who, flying from one extreme to the other, insisted on the cables being cut and sail made; this was done, but, as the pilot had foretold, the ship grounded very soon after, and lay exposed to the fire of the whole fleet for the space of one hour and twenty minutes. Those ships whose guns could not otherwise be brought to bear, got springs upon their cables. Among these was the Director, of 64 guns. The Monmouth and the Isis were particularly active in attacking the Repulse, the former of which fired eighty shots. The officers of

the Repulse now saw that every energy was required on their part to save the ship's company, who had thus rashly committed themselves: the latter seemed also determined, by their coolness and good conduct, to atone for the past.

There was not a ship in the fleet, whose guns could be brought to bear, which did not fire on the stranded deserter. The leading men of the Agamemnon begged they might be also allowed to fire, to keep up appearances with the delegates; but, to prove they had no bad intentions, they requested Lieutenants Rowed and Brenton would point the guns, which was done in such a manner as to send every shot wide of its mark. This good spirit, however, did not pervade the fleet generally. By some accounts, for nearly two hours the firing was maintained against the Repulse, as she lay aground without returning a shot. Her officers and crew in the mean time were not idle: the water in the hold was started, the casks stove, and a strong party sent to the pumps. In this manner the ship was lightened, and as the tide rose she floated off, and ran into the harbour. Her fore-topmast was shot away; she suffered damage also in her lower and running rigging: she received upwards of fifty shot in her hull; one passed through her, and another, taking an oblique direction, went through the hawse-hole, and carried away the spritsail-yard. Lieutenant George Delano was the only person wounded. His leg was shattered by a ball, and suffered amputation; while at the same time it is ludicrously stated as a fact, that one of his boots, which was hanging up in his cabin, was hit in the same place as his leg. During the attack, the delegates, maddened by the attempt at desertion, sent four hundred

fresh hands on board the Monmouth, to assist in working her guns, with emphatic orders to sink and destroy the Repulse; among this reinforcement were included six of the Repulse's crew, who happened to be in other ships at the moment of her escape. But although she had succeeded in defying the vindictive rage of the delegates, a further peril awaited her; the mutinous spirit was not allayed on board, although the majority were sincere in their change of sentiment. While she lay off Gravesend, a plot was formed to blow her up. Trains had been laid to the powder magazine, and combustibles disposed in various parts of the ship. Providentially, one of the sailors, suspecting an attempt at a second mutiny, observed the actions and overheard the conversation of some of the crew, whom he had known to be the most earnest and desperate among the mutineers. In this way the conspirators were discovered; and when charged with the diabolical intention, they openly avowed it, affirming that they might as well blow up the ship and themselves in it, as be taken on shore to be ignominiously hanged. On board the Leopard, also, the men were excited to mutiny afresh; but the design was immediately crushed, and the abettors placed in irons. The Ardent, 64, cut her cables and drifted in the midst of the confusion caused by the desertion of the Repulse and Leopard. She set her fore-top-sails, which materially assisted her progress; but as soon as her intentions were discovered, the Sandwich, Inflexible, and other ships, opened a tremendous fire upon her as she passed: the damage, however, which she sustained in successfully accomplishing her object was trivial, compared with the attack directed against her. When the

excitement of the moment was over, and the three vessels were out of sight, cool reflection succeeded; the spirits of the mutineers received a blow from which they in vain attempted to recover; confidence in themselves, in their cause, and in their leaders, gave place to doubt and despair. The reaction became, hour by hour, more violent in proportion as the triumph they had expected receded to a greater distance, and as the hopes they had cherished in the success of the delegates faded fast away. The former accusations of duplicity were revived against the committee; the desperate project of carrying off and of delivering the fleet into the enemy's power, was again canvassed and universally reprobated. Parker had all along cheered them with the certainty of obtaining the co-operation of Sir Roger Curtis's squadron at Spithead, and had boasted that he would make the Admiralty humble themselves to the conditions he proposed, immediately upon the appearance of that force, upon the accession of which to their cause he confidently relied. But the address from the Spithead fleet, already quoted, in its order of time, had annihilated all prospect of assistance from that quarter. Besides, the attempt to suppress the whole truth, in the king's proclamation and the late acts of parliament, added fuel to the resentment against the delegates, which was gathering into a flame. When the seamen were fully acquainted with the penalties contained in those acts, and with the subject of his Majesty's proclamation, their murmurs broke out into bitter recrimination. They referred back to what had passed, and inveighed against the unfair and reserved conduct of the principal delegates, whose

different resolutions were not communicated, as in the beginning of the mutiny, to the crews of the several ships. The effect of such garbled statements had been to increase rather than appease the mutiny; and the fleet found itself branded with the character of rebellion and treachery, when it had flattered itself that its position was merely one of remonstrance.

The tempest of discord, raised by vexation and disappointment, was beating more fiercely against Parker and the delegates of the Sandwich, than against any other section of the committee. The greatest disorder soon prevailed; of the twenty vessels remaining off the Nore, not more than one half kept the red flag flying at the main; while others, plainly revealing a desire to return to their duty, hoisted the union colours. The crews voted a want of confidence in Parker and his brethren of the Sandwich, and desired the committee to leave that vessel to itself, and henceforth to hold their deliberations on board the Montague. These proceedings on the part of the fleet excited tumult and disunion in the Sandwich; a complete division took place, and the head-quarters of the delegates and their opponents were distinguished by the names of Royalists and Republicans. Orders and counter-orders were issued; and as each prevailed, so the red flag and the union colours were alternately hoisted and lowered. In the end, however, after a personal conflict of some duration, the republican faction gained the ascendency, and the signal of defiance was left to proclaim the sentiments of the majority. One result, however, was ascertained beyond doubt, that the royalists were acquiring strength both in numbers and in hatred

to Parker and his adherents, whose only chance of safety narrowed itself into the miserable alternative of speedy flight.

In the mean while, the committee on board the Montague deliberated for themselves upon the terms held out by the king's proclamation. When they clearly perceived that exceptions were made in the king's pardon graciously proposed for their acceptance, and that the ringleaders known by the title of delegates, were to be surrendered by the crews to take their trial for the acts of rebellion, committed by their orders, they hesitated in their submission. The crews also acquiesced in this gallant feeling, to stand out at all risk, rather than purchase immunity at the expense of their companions' safety. It was deemed advisable, therefore, to despatch Captain Knight and Captain Cobb, under a flag of truce, to Sheerness, that they might convey fresh overtures to government for reconciliation. They offered to resign the command of the ships to the Admiralty on condition of receiving a general and unqualified pardon; they also required that none of the officers who had been dismissed by the seamen should be retained in the same vessels. These propositions were accompanied by a determination to leave the redress of their grievances to the clemency and discretion of the king. The red flag was again unanimously hoisted, until the reply of government should reach the Nore.

But the ministers by this time felt the improvement of their position, and the power of the mutiny crumbling under their feet. They had also learned by experience that the men opposed to them in the persons of the delegates were destitute of those

rude but stern abilities which must be feared and respected wherever they appear. They thought that the opportunity had arrived for crushing effectually and for ever the spirit of insubordination, and for putting down, by severity of punishment, the dangerous system of active remonstrance against grievances, however just in their character. The board of admiralty was instructed to reject every offer short of unconditional submission, as a preliminary point.

At the same time, it was intimated that his Majesty's gracious pardon would be extended to the crews of all the rebel ships, which should be voluntarily surrendered; but it was distinctly laid down, that to compromise with Parker, and the more notorious delegates, would bring disgrace upon the country, and serve as a premium for future mutiny. If invitations to obedience should fail, force was to be applied. The Neptune had taken in her guns at Long Reach, and Sir E. Gower was ready in the Thames with an armament consisting of five or six ships of the line, several frigates, and between twenty and thirty gun-boats, under the command of Lord Keith. Activity, energy, and zeal animated both officers and men in completing the preparations necessary for the expedition. The Warrior was fitting out with all possible despatch, having bulk-heads built into her, for the purpose of preventing the seamen from boarding her. Sir Roger Curtis's squadron had been ordered round from Spithead to co-operate with Sir E. Gower. The dockyards were busy with the note of preparation, and the smiths, instead of forging anchors, were employed in making grape and bar shot. Thus the unhappy fleet at

the Nore, menaced from without, and torn by dissension from within, possessed neither power to negotiate with success, nor to escape destruction, except upon the precise terms dictated by the government, and ratified by the support of the country.

Ever since the secession of the Leopard and the Repulse, mortification and defeat attended both the threats and the actions of the mutineers. They had the chagrin of seeing the Dromedary escape their hands by defying and breaking through the blockade. This vessel, commanded by Captain Collis, had on board upwards of 40,000*l.* in specie, brought from Lisbon; upon her appearance off the Nore, she was ordered to heave to and surrender; instead of which, she gallantly made for the river, sailing through the fleet, and running the gauntlet of an incessant fire from the Sandwich, Inflexible, and Proserpine, for at least half an hour. Indeed, so rapidly was the mutiny drawing towards its dissolution, that the victualling office received orders for fresh beef and other provisions, for the supply of each ship which might desert the confederacy; and the public expectation seemed only to be delayed by the prevalence of contrary winds, which prevented the less virulent vessels from entering Sheerness harbour.

Thus, the panic in the fleet daily assumed a more anxious character; the desire to make terms with the government, by conceding point after point, was most urgent; flags of truce were continually passing from the Nore to Sheerness, and in the end recourse was again had to the influence and mediation of Admiral Buckner. The delegates earnestly expressed by letter their sincere wishes to restore discipline and order, but at the same

time requested a list might be furnished them, containing the names of those persons, implicated in the mutiny, who were marked out by the Admiralty for punishment. To give the appearance of good faith to the negotiations, they struck the red flag, previously to forwarding their request. But the government remained firm to their original policy, and refused to treat with any crew which might still maintain itself in rebellion. A second proposition, to yield upon the simple condition of a general pardon, met with prompt rejection upon similar grounds. In the mean time, the rumour of active measures, and of the presence of a force equal to cope with the obstinate section of the fleet, gained circulation, and scattered dismay through the bosoms of those who might without presumption entertain hopes of forgiveness, if their submission were only proffered in time. The dread, therefore, of exemplary punishment began to operate with great effect. Flags of truce were passing continually between the mutinous fleet and the shore, chiefly on the part of the Admiralty, with the view of liberating the officers, before the dreadful alternative of a general attack should be forced upon the government. This preliminary measure, added to the consternation already excited, quickened the desire to escape, as quickly as possible, from the society of ships and men, inevitably doomed to destruction. In consequence of the negotiations carried on, twenty officers were liberated, in addition to others who had been turned on shore by the mutineers belonging to the Inspector sloop of war. On Monday evening, June 12, when all hopes of accommodation with the Admiralty were at an end, except upon terms of unconditional sub-

mission, the disastrous position of their affairs forced a reaction among the delegates and most of the crews; no place for repentance was left, besides the clemency and mercy of the executive; the first to surrender would seem to have the best chance of favour in the dreadful consequences which were already casting their dark shadows over the leaders in the rebellion. No means of escape were presented to the boldest among the mutineers, and imagination pictured with sad forebodings the efficiency of the means provided by government for the forcible suppression of obstinate disobedience. First of all, then, the union flag was hoisted several times, and as often struck and superseded by the proud signal of contumacy; as though resolution wavered between submission and disgrace. But every hour diminished even the slender expectation of immunity; and delay, farther protracted, might bring down upon their unsteady councils the stern purposes of government, enforced by the formidable power under the command of Sir Erasmus Gower.

The delegates were hastily summoned to consultation, and the signal of mourning or distress was displayed from most of the ships for upwards of an hour. All night and till morning the greatest dismay prevailed; a tumult of opinions raged amongst the several crews, and in many instances extended to personal violence and scenes of bloody collision. The desperate question of even then attacking Gravesend, and of perishing under the guns of the batteries, was agitated and urged by the uncompromising; but a unanimous decision upon the best course to be pursued, was, under the circumstances, not to be expected.

Early on the Tuesday morning, taking advantage of the disordered state of the mutiny, the Agamemnon, Standard and Vestal slipped their cables and stood up the river Thames. The Nassau and Iris shortly afterwards followed their example. Not a show of opposition was made, nor a gun fired, to impede their progress; the secession was too formidable to provoke hostility, and this terrible blow paralysed the courage, while it instantly shattered the remains, of a combination which stands without parallel for boldness and duration in the annals of the British navy. The Lion adopted the same course late in the evening; and that night five ships of the line and three frigates lay off Gravesend, for ever detached from the dangerous confederacy at the Nore. Fourteen men-of-war of different rates still remained at anchor, but not a single red flag was flying; some were evidently attempting to make Sheerness, and others were shaking out their sails, with the design, it appeared, either of sailing into harbour, or the Little Nore. But although the mutiny was clearly tottering to its foundation, the crews of the deserting ships were broken up into parties, the majority which prevailed not being large enough to extinguish the smothered flame, which having raged without check or control for weeks, yet existed. As no general order had been issued by the delegates,—nor perhaps would any order, if issued, have received ready acquiescence at that moment of confusion and trepidation,—the independent crews of the several ships placed their own interpretation upon the movement of others, which seemed to act in concert. The Standard and Iris, imagining that the object of the Agamemnon and Vestal,

in slipping their cables and entering the river, was to put in execution the debated plan of attacking Gravesend, cheerfully seconded the movement, and found themselves snared, by their own mistake, into the hands of government. When the real state of the case became apparent, the fury of the disaffected portion of the crew on board the Iris knew no bounds. The ship's company divided itself into two parties, and prepared for a serious conflict. The royalists took possession of the fore, and the mutineers of the after part of the frigate; thus situated, they turned the great guns on each other, and began a most terrible fight, in which, however, the mutineers were worsted. This disposition to further acts of insubordination was only quelled by taking ashore from the Standard the refractory part of her crew, and placing her under the guard of a strong military force. Still the greatest repugnance continued to be exhibited at the demand for a surrender of the delegates; while the request for a general pardon to all men concerned in the mutiny was only stifled by coercive measures, and a seizure of their persons. The Lion, finding the hope of forgiveness short of unqualified submission futile, set sail again for the Nore, and endeavouring to pass the batteries, was fired upon and brought to. Parker, perceiving his influence and authority at an end, and dismayed by the serious losses he had sustained, has been said to have made an unsuccessful effort to escape; but the loyal portion of the Sandwich's crew foiled the attempt, and, keeping a vigilant watch upon his motions, took care that he should not leave the ship.

Government, under the confident expectation

that he would seize the first opportunity of abandoning the wreck of his mutinous fleet, thought proper to publish the following reward for his apprehension, should he succeed in accomplishing his object :—

"Whereas there is reason to believe that Richard Parker, now or late a supernumerary seaman on board his Majesty's ship Sandwich, at the Nore, and who stands charged with divers acts of mutiny, treason, and rebellion, will attempt to make his escape from the said ship, his Majesty, for the better discovering and apprehending of the said Richard Parker, is hereby pleased to promise a reward of five hundred pounds, to be paid by the lords commissioners of his Majesty's treasury, to any person or persons who shall apprehend, or cause the said Richard Parker to be apprehended, and brought before some of his Majesty's justices of the peace or chief magistrates of the county, town, or place where he shall be apprehended, so that he may be dealt withal, and proceeded against according to law.

"PORTLAND.

"Richard Parker is about thirty years of age; wears his own hair, which is black, untied, though not cropt; about five feet nine or ten inches high, has rather a prominent nose, dark eyes and complexion, and thin visage; is generally slovenly dressed in a plain blue half-worn coat, and a whitish or light-coloured waistcoat, and half-boots."

On Wednesday morning the spirit of the mutineers gave way, and the white flag, the sign of

unconditional submission, replaced the red colours of rebellion in nearly all the ships. At about three o'clock the Sandwich came drifting into port, with a white flag at her maintop, exciting no slight apprehension in the minds of parties on shore as to her real intentions.

Every other flag, except the white one, having been hauled down, and the sails furled, the persons who appeared to exercise authority on board now hailed the gun-boats, and said, that they came into harbour with a determination of surrendering the ship, with Parker and his co-delegates, into the hands of the government. When the Sandwich had dropped anchor just within gun-shot of the great battery, she was boarded by Captain Moss, who immediately resumed the command; and in a short time afterwards Admiral Buckner re-hoisted his flag at the fore, amid the hearty acclamations of the crew. The circumstances which led to this event were these: in the morning, about eight o'clock, while Parker and his associates were holding a council in the ward-room, some of the petty officers, deputed by the repentant section of the crew, went ashore to their officers, and stated, that with the permission of the authorities they were willing to yield without conditions, relying upon the good services of their superiors to obtain a pardon. The reply to this being an assurance that they must secure Parker and the rest of the delegates, the crew immediately hoisted the white flag, weighed, and stood in for the Little Nore, as stated. About half-past six in the evening, Admiral Buckner's boat, commanded by the cockswain, with a picket-guard of the West York Militia, went alongside the Sandwich. When they

arrived on board, very few of the men were to be seen on deck. The admiral's cockswain mentioned his business to the officers on board, and claimed their assistance. Parker, however, when he perceived that his influence had expired, and that he must be delivered up to the law, summoned four of the seamen, and placed himself under their protection. Lieutenant Mott and a party, consisting of eight or ten seamen, then went below, and having captured the fallen "admiral" without resistance or opposition, pinioned and landed him, together with Davis, his chief confederate, and the other delegates on board, at the Commissioners' Stairs.

Parker appeared a little disconcerted at the reception he met with from the bystanders, as he set his foot on shore, and is reported to have said, "Do not hoot me; it is not my fault; I will clear myself,"—or words to that effect. He was lodged in the black-hole, one of the cells under the chapel of the garrison; where he awaited, for some hours, the time for his examination before the commissioners. The Monmouth followed the Sandwich into harbour in the space of an hour; and after a short interval the Montague, Belliqueux, and Inflexible weighed, and made for the Little Nore. These three last vessels, however, with a creditable consistency and courage, remonstrated against the punishment of their delegates, and refused to surrender, until they were assured of a general pardon; for they argued, the criminal intention was common to all, but in extent and degree, although the necessity of the case obliged them to select the best in energy and intellect to give unity to their purposes, and effect to their designs.

The most lucid arguments, however, are apt to fail under the impending fire of heavy batteries; on Thursday night the submission became general, and on Friday morning the Montague gave up their committee-men, and sent them on shore. As each ship submitted, the delegates, together with the most conspicuous of the ringleaders, were seized and imprisoned; large bodies of military were also sent on board, to take possession, and to put down any further insurrectionary movement. Of all the confederate vessels, the Inflexible was distinguished, as though in harmony with her name, for an unbending resolution, even to the very last, and for the daring measures she advocated in the council of delegates. The Montague and the Pylades were not far behind in energy and determination; but as we shall have to sketch the proceedings of the several vessels, taken from the evidence upon the trial of the mutineers, we shall here content ourselves with recording the fact, and refrain from entering into detail.

By this time every ship in the fleet had given up its leaders and committee-men; the number of prisoners was upwards of three hundred; the prisons at Sheerness were full; the chapel of the garrison and the Æolus frigate were also, by necessity, dedicated to the same purpose. From time to time, as the prospect of success became less flattering, those among the delegates who had apprehensions for the result contrived to make their escape, although in very many instances they were re-captured. But now that the mutiny was crushed, success out of the question, and all chance of mercy flung to the winds, so far as the leaders

were concerned, every possible device was tried by many of them to escape the denunciations of public vengeance.

Two delegates of the Inflexible were taken at Sheerness, immediately after the promulgation of the king's proclamation interdicting communication between the fleet and the shore; they stood committed for treason, felony, and piracy. Four others ventured their chances of getting off in an open boat; but upon attempting to land, they found either shore lined with troops; accordingly they pulled away, and turning the North Foreland, pursued by a cutter, ran into one of the gates in the Isle of Thanet. The alarm was given, the volunteers turned out, and the delegates were taken. Twelve men and a woman succeeded in effecting their flight from the Tisiphone, on the Wednesday evening; and early in the morning of the following day, ten or twelve more delegates and leaders from the Montague, Belliqueux, and Inflexible, trusting themselves to the mercy of the winds and waves, rather than to the clemency of that veriest coward and tyrant, man, launched in the cutter of the Inflexible, and put out to sea; fortunately for their preservation, they happened to fall in with a fishing-smack, belonging to Gillingham; of this they took possession, and giving the owner the cutter to return in, made the best of their way to a French port. Having succeeded in making Calais, they were disappointed in meeting with either a refuge or a welcome; the French authorities imprisoned them all, with the intention of sending them back again to England, to be disposed of as their own government might think proper. This determination, however, was

not maintained; the men were afterwards drafted into the French service, and directed, we will charitably hope, under compulsion or in despair, their energies against their native country. In the last week of August, seven of the sailors who escaped from the Inflexible were found among the crew of the Lynx French privateer, when she was captured in the Channel by the Stork sloop-of-war, commanded by Captain Pearson.

One of these ill-fated delegates, Martin, preferring the sword of Cato to the ignominy of the gibbet, effectually defied all further outrage from that misnamed society that had already so infamously wronged him. Whatever may be urged against the mutiny in which he bore so hapless a part—whatever may be said of its delegated committee, of whom his hard destiny had rendered him a member, few hearts will be able to suppress the pang which his story must excite among the feeling and the just. He had been an impressed man; and from the gentility of his appearance, the delicacy of his hands, and ignorance of seamanship, it was believed that he had been born in a superior station in life. He had acted as captain of the mutineers on board the Sandwich; since the disastrous turn of events, he had always carried a loaded pistol about him; and a few minutes before his name was called over to go ashore, he offered his brother delegate another weapon, desiring him, if he had resolution, to follow his example. On the instant of being summoned, he discharged his pistol against a vital part of his person, and fell a corpse upon the deck.* His remains were taken ashore, and buried in a cross-road, with a stake driven through his

body, according to the *sensible* and *gentle* law then in existence regarding suicides.

Humanity and justice shudder when truth points out what might be, and in all probability what were, the provocations received by this most unhappy man from that larger congregation of animals, who thus vented their disappointed malice on his insensible remains. In the first place, he was an impressed man—most especially a blossom of that *Hadrian upas*, the pressgang, that has been watered by the blood and tears of so many thousands, to fructify most meetly in a mutiny like this of the Nore. Martin was most especially one of those men to whom Mr. Pitt thought it unnecessary that any advance of pay should be made on the country's forcibly kidnapping him from all his other sources of income or employment. For this and other just and fair demands he had remonstrated, as he had seen others at Spithead remonstrate, with no greater claims but infinitely happier success, and all the outward honours that conscience-stricken iniquity and cowardly apprehension could render to injured power and resistless strength; yet who can tell what sacred or what tender ties the atrocious and excitable violence of the pressgang had outraged in this man's person? The wife—the children—the sister—the aged parent, each or all might have been bereft of their only hope, comfort, or subsistence, by the sudden and inhuman violence that tore this man away from everything dear to him in life, and this too for the purpose of enslaving him on penalty of death in a service of which he was ignorant, for which he was unfitted, and which every previous thought, feeling, custom,

and habit must have rendered odious and dreadful to a degree. Yet to this man a few shillings of pay made in advance, to provide himself with necessaries for his new-found and hateful calling, were deemed too great a luxury—an unnecessary indulgence—a superfluous kindness by the rich and the titled—the prosperous children of accident—" the accidents of an accident," to whom birth and inherited wealth had given the misgovernment of the country!!—to whom the mass of the nation, groaning under a load of endless taxation, were paying enormous salaries and pensions for this very misgovernment. Thus violated in all that should be holy and hallowed among men, he lent his best aid to his fellow-sufferers in endeavouring to ameliorate their oppressed condition. Through every declension of their hopes, every reverse of their fortunes, every promised bribe for betrayal, he remained faithful to the trust reposed in him; and when despair had lighted on the cause, and his services could no longer avail to aid it, he gave his life in expiation of his temerity with all the courage and resolution that can elevate the human mind. What but the support of a good cause was here wanting to form a hero worthy of all regard? and what shall we say of a service and a government that can make a criminal of such a man? Nor let the untried pharisee arraign the religious crime that terminated his sufferings. The merciful Creator of his existence can alone pronounce upon this broken "canon," when all the cruel and most criminal aggressors who drove the victim to "self-slaughter" are brought for judgment to the same bar.

Upon the arrival of the deserting ships in the River, two Lords of the Admiralty repaired to Gravesend, for the purpose of examining the officers and crews, with the design of separating, if possible, the less criminal from those whose conduct might be thought worthy of exemplary punishment.

We now return to Parker. When he was searched, his pockets were found to be full of papers; but nothing material could be elicited from them, as they consisted principally of a diary of the proceedings which had taken place on shipboard. Upon his examination before the commissioners, he conducted himself with coolness and decorum. He expressed a confidence that he should be able to justify himself, in all particulars, adding that he hoped he had behaved in no respect dishonourably, nor was he conscious of having acted with wrong intentions. The investigation lasted three hours, at the conclusion of which he was committed to Maidstone gaol, charged with acts of piracy and high treason. A night's reflection in prison had the effect of lowering his undaunted demeanour. On the Thursday morning he was visited by two magistrates of the county of Kent, with the object of tracing the origin of the Mutiny, and also of ascertaining whether any, and if any, what persons disaffected towards the government had excited the fleet to rebellion. He asserted, however, in the most positive terms that the Mutiny originated, and was conducted altogether on board the ships; he said, he knew he should suffer the penalty of death, and affected resignation to his fate. He likewise vehemently complained of the Inflexible, accusing

her crew of being deaf to all moderate proposals, and of insisting upon desperate and sanguinary measures. He flattered himself that he should have an impartial trial, and entertained a faint hope that he should be able to give such a favourable account of the transactions in which he took part, as to ensure an escape from punishment, if not a free pardon. The following is the account of his life and history circulated through the country by means of the public press; nor are we aware that its accuracy has ever been impugned.

Richard Parker is said to have been descended from a respectable family in Exeter. He received a good education, entered the navy when he was twelve years of age, and about the conclusion of the American war was an acting-lieutenant in one of his Majesty's ships. At this time he came into possession of some property, and shortly afterwards went to Scotland, where he married a farmer's daughter in Aberdeenshire, with whom he received a decent patrimony. Having no employment, he fell into extravagant habits, squandered his fortune, became involved in debt, was cast into the gaol at Edinburgh, where he was lying at the time when the counties were raising seamen for the navy. Upon this, he enrolled himself among the Perthshire volunteers, received the bounty, and obtained his release from prison by paying the detaining creditor a part of the money he had received. He was now put on board the Tender, then in Leith Roads, commanded by Captain Watson, who conveyed him, with many others, to the Nore. On the passage, the captain was struck both with his activity and polite address. It happened during the Mutiny that Captain

Watson, upon his voyage home, was detained by the delegates, and ordered to go on board the Sandwich, where he recognised and was questioned by Parker. Parker also recollected his person, and ensured for him respectful behaviour. He commanded every man on board to treat Captain Watson with civility, saying, he was the sailor's friend, and had behaved with kindness towards himself; and that if any person should presume to act otherwise, he should be immediately swung aloft, pointing as he spoke to the rope which dangled at the yard-arm. Captain Watson watched his opportunity of hinting to Parker the impropriety of his conduct, and the consequences that would inevitably follow; this friendly expostulation seemed to throw a momentary damp upon his spirits; but he expressed a desire to wave the subject, and Captain Watson then left him, having obtained permission to proceed upon his voyage. Of course the most exaggerated stories were disseminated relative to Parker's character and vices. He was charged with having been disgraced and degraded, and also with ignorance of seamanship, but, as it would appear, without the slightest foundation. All parties, however, agree in the statement made by his wife, in a letter praying for a commutation of the capital punishment, that he was subject to fits of temporary derangement. In his passage between Leith and Sheerness, when there was yet no crime alleged against him, he attempted to destroy himself by jumping overboard. It was also stated that he had been discharged from the Royal William, in 1794, on account of having displayed symptoms of insanity. A very short time only elapsed between his arrival

at the Nore, and the breaking out of the mutiny, in which he first joined as a confederate, and eventually rose to the unenviable rank of "President" and director of its operations.

The country was now triumphant in its exultation at the successful dissolution of a league which, thanks to the obstinacy and injustice of her rulers, at one time threatened to lay her honours in the dust, and to expose her prostrate strength to the insult of a combined enemy. Nothing could exceed the joy with which the news was hailed through the land.

The courage which had almost deserted the most confident was speedily reassured, and they who had trembled the most fearfully in the crisis of calamity, now naturally lifted up "their most sweet voices" with the greatest clamour and importunity for strong measures and a rigorous display of punishment. But to terminate the disastrous affair favourably, wholly to remove all the reasonable complaints of the service, to deprive the seamen thereafter of any pretence for violent measures, and, by a due mixture of justice and leniency, to secure their affections on the side of government and their country, required a magnanimity, a liberality, a manliness of thought, and a knowledge of human nature, which few administrations possess, and in which few times, desecrated by party heat, can afford to indulge.

The Whigs, naturally taking umbrage, or rather in despair, at the rejection of their proposed measure of naval reforms, had warned the tyrannical and obstinate minister, in no measured language, of the ruin to which his folly exposed the state, and the able and chivalrous Sir Francis

Burdett especially resisted the arbitrary propositions recommended by Mr. Pitt. Mr. Sheridan, however, with greater hope, but less consistency, pointed out, it is true, the nature of the disorder, and the means for an effectual remedy; but he too generously strengthened the hands of a most flagrant government, by readily acceding to the extraordinary powers which they demanded for the purpose of crushing the seamen, without the slightest guarantee that their wrongs should be righted, when their mutiny had been punished. From the very outset, at Spithead, the conduct of the administration was such as to leave it doubtful whether the all-in-all chief of the cabinet lies most open to censure or contempt. Had he for an instant possessed the grasp of mind so long attributed to him by the venal satellites his gross corruption and prostituted power procured, surely he would at first have consented to probe the seat of the disease, and immediately applied a remedy proportionate to the extent of the cancer, which was preying upon the vitals of the most noble service in the world. Thus would the nation have been spared weeks of anxious uncertainty, and scenes of retributive justice and vindictive punishment, which, even if some of them be held necessary, were accompanied by most painful feelings of humiliation, and a sad distrust of the future, which struck irremediably at the public credit. But when the critical moment arrived, and the subsequent welfare of Great Britain hung doubtfully in the scale, what do we behold?—Not that the safety of the empire is secured by the fratricidal preparations for butchering veterans who had laughed at death from infancy to age; not even

the pacifying of the tempest by just though extorted concession ; but the chance protection of the monarchy and the state by the accidental disunion of the rebellious leaders, and the providential absence from the delegates' committee of any genius sufficiently daring and able to direct the resistless force that at one time so closely menaced the very heart of the kingdom. It was at first resolved to deliver Parker to the civil power, and to issue a special commission for his trial at Maidstone. But upon considèration, as will appear, the fear which had throughout swayed the minister, lest justice should have the least voice in the matter, once more prevailed, and martial law, the great support of despots, received the flattering preference of being selected to deliver Parker to the hangman, with all the formality the shouting citizens could desire from the "pomp, pride, and circumstance of glorious war." At a cabinet council, therefore, on Friday, the 16th June, it was ordered, that a court-martial, composed of captains whose vessels had not been implicated in the mutiny, should assemble at Sheerness, and proceed with the trial of Parker, his co-delegates, and the ringleaders of the fleet —a most ostentatious show, it must be confessed, of impartiality, which would, perhaps, have been more truly realised if England's fleets could have furnished any other two officers to preside, rather than Sir Thomas Pasley, who had held a command so recently in Lord Howe's mutinying and complaining fleet, and Sir Erasmus Gower, who had but a few weeks since been selected to command the volunteer squadron that was to have slaughtered the mutineers of the Nore, if they could and would. However, under this order Parker was

sent back to Sheerness from Maidstone, and his Majesty's most gracious pardon extended to all the sailors on board the several ships at the Nore, with the exception of certain individuals, who were to be tried and punished.

On Thursday, June 22, the court-martial was held on board his Majesty's ship, the Neptune, lying in the river Thames, off Greenhithe, for the trial of Richard Parker, for mutiny. At eight o'clock in the morning the signal-gun was fired, and at ten the court was opened, and the prisoner, Richard Parker, was placed at the bar. The court was composed of the following officers:—

President, Vice-Admiral Sir Thomas Pasley, Baronet.

Commodore Sir Erasmus Gower	*Neptune*	98 guns
Captain Stanhope . .	*Neptune*	—
Captain Markham . .	*Centaur*	74
Captain Williamson . .	*Agincourt*	64
Captain Wells . . .	*Lancaster*	64
Captain Lane . . .	*Acasta*	44
Captain Sir F. Laforey .	*Hydra*	38
Captain Sir T. Williams .	*Endymion*	36
Captain King . . .	*Sirius*	36
Captain Pierrepoint . .	*Naiad*	36
Captain Riou . . .	*Mary Yacht*	10
Captain Ramage . . .	*Prince Frederick*	

The witnesses were all called into court to hear the charges read. These were contained in the order from the Lords of the Admiralty for the constitution of the court-martial. The prisoner was charged with making, and having endeavoured to make, a mutiny amongst the seamen of his Majesty's ships at the Nore; with having caused assemblies of these seamen, to meet frequently; and with having behaved himself contemptuously towards, and disobeyed, his superior officers.

Captain Moss of the Sandwich was the prosecutor.

Admiral Buckner was the first witness called. He was requested to state what he knew of the prisoner's conduct, in respect to the offences with which he was charged. The admiral then gave the following account:—"The first time I observed anything particular in the prisoner's conduct, further than parading about on shore, with a number of people and a red flag, was on or about the 20th of May, when I went on board the Sandwich for the purpose of making known to that ship and others, his Majesty's most gracious pardon, provided the crews should return to their duty, upon the terms granted to their brethren at Spithead, which the men styling themselves delegates, with the prisoner Parker at their head, had previously declared they would be satisfied with*. On my going on board with my flag in the boat, there was no preparation to receive me, nor respect shown me. The officers, I understood, were without their side-arms, and had no command in the ship. Unwilling to return on shore without speaking to the people in the ship, I waited a considerable time, when Parker, with others, came on the quarter-deck and said that none others but themselves (meaning, I presume, the ship's company) should be present there. He then tendered me a paper, containing what he called a list of grievances, saying at the same time, that until these were redressed, and until the members of the Board of Admiralty attended in person to redress the

* The admiral—to whom Heaven seems to have much moderated the gift of genius—must here be mistaken.

same, they would not give up the power they had in their hands. Finding that everything I had to say was of no avail, I went on shore. On or about the 22d, my flag was struck on board the Sandwich, I do not know by whom, without my orders. About that time, or in some part of the same day, while I was examining into complaints alleged against two marines who had been brought in by a party of the military, the prisoner and a man whom they called Davis, with three or four others,came abruptly into the commissioner's house, and demanded, 'why these men, the marines, had been taken into custody?' He told me, my flag was struck, that I had no authority, and that the power was in their hands. They then took the men away, to try them, as they said, for being on shore. Another expression Parker made use of at that time was, 'that he was not to be intimidated.' About the 4th of June, I received a letter from Parker, to the best of my recollection, styling himself *President;* it was signed *Richard Parker*, and stated, 'that the administration had acted improperly, in stopping the provisions allowed to the men, and that the foolish proclamation was calculated to inflame the minds of honest men.' I have nothing particular to relate beyond this, as a narrative. I have had frequent conferences with the prisoner at the head of many others, with the hope of bringing them to a sense of their bad conduct, but without any good effect. The prisoner Parker in general took the lead as their spokesman, and sometimes addressed me with a degree of insolence; frequently appealing to the persons around him, as though he were haranguing for the rest; he even put it to them whether he should be their

mouthpiece, and prevented with threats one man in particular from answering a question I had put to him. He said to this man: 'If you don't hold your tongue, I'll take care of you.' I have to add, while I was on board, I once endeavoured to prevail on those who styled themselves delegates, to remove the disgraceful ropes, called *yard-ropes*: their answer was that the ship's company would not suffer it."

In reply to a question by the prosecutor, the admiral admitted that although Parker was frequently insolent in the conversation which passed between them, yet he often displayed a great deal of modesty in his deportment, and apparent respect.

Upon this, a letter was read which had been written by Admiral Buckner to the Board of Admiralty, informing them of the mutiny at the Nore, and of the mutineers having taken possession of the ships. Another letter was also read, which had been sent from Captain Moss to Admiral Buckner, giving an account of the sailors' disobedience to orders on board the ships at the Nore. The letter signed *Richard Parker*, alluded to above, was next produced; it had been conveyed from the Clyde to the admiral, and had come from the Sandwich, in a bundle carried by an old man, who appeared to have a quantity of newspapers. The substance of the letter corresponded with the evidence of the witness.

When cross-examined by the prisoner, the admiral declared that he could not say whether Parker was the person who caused him to be treated with disrespect. He admitted that Parker came to him, and said, it was a mistake that he

had not been received with the honour due to his rank; also, that some attempts were made to man the ship, and to pay him the usual tokens of respect, although the movements of the crew were slow and conducted with reluctance.

Upon re-examination by the court, he said that he never had any private interview with the prisoner. He saw him only once on board the Sandwich, in presence of the ship's company. At all other times, when on shore, Parker was accompanied by people who called themselves delegates. From his coming to make an apology, he conceived the prisoner must have had some command over the crew of the Sandwich.

Lieutenant Justice, first lieutenant of the Sandwich, was next called and examined. "I knew the prisoner as a supernumerary on board the Sandwich, but I cannot tell how long I have known him. When he joined, I was at the Admiralty. On the 12th of May I was sent ashore, but by whose orders I cannot tell; it was in consequence of a paper thrown on the quarter-deck. At eight o'clock I gave orders to pipe to breakfast; at half-past nine, to clear the hawser, when the ship's company gave three cheers, which were immediately answered by the *Directors* (that is, the crew of the Director). They rove the yard-ropes, and brought the fore-castle guns to the quarter-deck. I asked what it was they wanted? They all answered, 'they wanted their grievances redressed.' I knew nothing of the prisoner except in the general meeting; I never saw him till the day before. When he came to me afterwards, his behaviour was perfectly respectful; on that day no one seemed to take a leading part in the mu-

tiny. On the 11th, as commanding officer, I read to the crew an official paper, sent off by Admiral Buckner, representing the vote of the House of Commons, which granted the sum of 372,000*l.* to answer the expenses of the requisitions which the seamen had been promised at Portsmouth. The information was received with three cheers."

The Prisoner observed, that as the witness said he did not know him, he would ask him no questions.

The Judge Advocate said, he thought it his duty to call the captains of other ships in a state of disorder, for the purpose of showing whether they were acquainted with the prisoner or not. The captains of the Nassau, Agamemnon, Lion, Standard, Iris, and Leopard, upon being questioned, denied that they had ever before seen or known the prisoner, although it was reported he had been on board their respective ships.

Mr. Snipe, the surgeon of the Sandwich, was the next witness, and deposed as follows:—"I know the prisoner, who was a supernumerary on board the ship. I do not recollect him before the 14th of May, on the afternoon of which day I was ordered to attend the punishment of one of the seamen, whose name was Campbell. Mr. Bray the master ordered me, he having the command of the ship. He said that it was the committee's order that I should attend. When I went upon deck, the prisoner was standing upon the gangway. As soon as the man was tied up, the prisoner made a speech to the ship's company, acquainting them with Campbell's crime. He said he had violated the laws laid down by the committee, and that if any among them acted in the same

way, he must expect to share the same fate. This was the general purport of his speech. By the committee, he meant the committee of delegates, of which he was one. Two or three days after, one of the ship's corporals, whose name I believe is *Wilson*, came to me in the ward-room, and gave orders that I should go immediately between decks and visit a man in irons, sick of a fever. I sent the ship's corporal to the committee, to say that it was absolutely necessary that this man should be taken out of irons, and be put in the sick berth. The corporal returned, and said the committee desired me to make my report first. I then went to the starboard side of the lower gun-deck, and there found a vast crowd of people assembled. I asked whom I was to address? The prisoner Parker requested me to address him. I told him it was necessary to remove the man in irons. The prisoner then said: 'It is not our intention to interfere with you at all—you may do with the sick whatever you think proper.' When I entered what they called the committee-room, one of the people, whom I supposed to be a delegate, said: 'Take off your hat, sir.' I do not know who he was, but it was not Parker. Another person, not the prisoner, said: 'Begone.' I was two or three times with the committee about persons under confinement; I cannot say by whose orders they were confined—certainly not by the ship's officers. I generally received a civil answer from Parker, who begged me to do as I pleased with the sick. On the 3d of June, I sent to the committee for leave to go on shore, by Davis, who was commanding officer on deck. I was ordered by Davis to attend the committee then sitting in

the captain's cabin; I asked their permission to go on shore. The prisoner recommended the committee to suffer me to go on shore, provided that I would return next morning, and use all my influence with Admiral Buckner, to obtain leave for all the sick on board to be landed. I went ashore and did not return again till the ship was under the command of Captain Moss. One day after the mutiny began, the prisoner was speaking to Captain Moss on the quarter-deck, about the many improprieties which the delegates were charged with having committed. He said he was certain, if their grievances were not redressed, that none of them would shrink, or words to that effect; and if they did, he was certain they would be run up to the yard-arm, by the ropes that were then rove."

By Sir Thomas Pasley.—When the man was punished, Parker gave the order; after he had made his speech, he ordered the boatswain's mate to do his duty. The prisoner was generally understood to be the president of the committee. He sat at the head of the table as president upon every occasion when I saw him; he appeared to be the leading man. I did not hear him give any orders to assemble the people on deck. The sick person was confined by order of the mutineers, who called themselves a committee. The offence was drunkenness. When Captain Moss was remonstrating with the prisoner, he (the prisoner) stood with his hat on.

Cross-examined by Parker.—Mr. Bray, the master, was somewhere on deck, but I do not know whether he was upon the gangway at the time of Campbell's punishment; nor do I recollect any consultation with Mr. Bray about the punish-

ment of that man, for getting beastly drunk with small beer.

Parker then put the following question: You mention my pointing to the yard-arms and saying I was sure no one would shrink; that if they did, they would go to the yard-arm. Did you suppose that I meant anything else than that, if the people called delegates were to propose such a thing to the ship's company, they themselves (the delegates) would be the sacrifice alluded to?

A member of the Court observed that the prisoner should be cautious what questions he put, as they might criminate himself: the question was consequently withdrawn.

Captain Surridge of the Iris said: I have seen the prisoner, but had no conversation with him. I understood from my first lieutenant that Parker had been on board my ship. When I saw the prisoner, he was in a boat, with a red flag flying; I also saw him parading through Sheerness with several other seamen, with music and a red flag; he and another appeared to be at the head of them. I saw Parker once at the commissioner's house, in Sheerness, in conversation with Admiral Buckner, and, as near as I can recollect, I heard him say, he envied no officer the command they held, having experienced a great deal of difficulty and trouble in the situation in which he himself was placed. Parker at that time was apparently respectful. I saw the prisoner afterwards come to the commissioner's accompanied by two delegates, one from the Nassau, and one from the Standard—Martin, who has since shot himself. Parker took a paper from his pocket, and gave one to each delegate, and asked if they did not contain the demands of the seamen belonging to the North Sea Squadron?

They said, it did. Parker then gave the paper to Commissioner Hartwell, who, after reading it, told the prisoner, that he was sorry to find it contained so much fresh matter, and that he could not think of going to London with it; but that, had he confined himself to the articles which they had shown him on that day, he would have gone to the Admiralty with them; and he told the prisoner, it would be needless for him, the commissioner, to take any more trouble in the business, if they were determined upon persisting in these articles.

By the Court.—At the time I saw the prisoner passing in a boat with the red flag flying, other persons were sitting with him in the stern-sheets; but whether the band of music was in that boat or another I cannot tell.

The Prisoner then asked the witness whether he heard him desire the commissioner to speak to the delegates of the North Sea Fleet, concerning the four last articles, which had been presented by them and not by the Nore delegates. He meant the articles objected to by the commissioner. The witness answered, he did not recollect to have heard the prisoner speak to that effect.

Captain Dixon, of the Espion.—I remember, on or about the 20th of May, accompanying Admiral Buckner to the Nore: his flag was hoisted on board the Sandwich. He went thither for the express purpose of notifying his Majesty's pardon to the crews of the several ships under his command. On going on board the Sandwich, he was not received with any of the respect due to his rank as a flag-officer. Parker the prisoner held in his hand several new propositions under the head, "Grievances to be redressed." The admiral was

detained on board upwards of three hours, because the ship's company had not arrived at any determination respecting the propositions. At last they were presented by Parker to Admiral Buckner. The admiral returned on shore, and was suffered to depart without any show of respect; the man-ropes were on the yards, and the yard-ropes rove. The officers were extremely concerned, but had no power to compel the crew to treat the admiral differently. I considered the crew to be in a high state of mutiny. Several days afterwards (I cannot recollect the precise day of the month), I was at the commissioner's house. It was reported to the admiral, who was there, that two marines were brought in by the soldiers for examination. As I advanced to the fore-door, I saw the prisoner, who asked if the commissioner could be spoken with. I said I believed he could. The prisoner came in, accompanied by one *Davis*, and demanded to know the reason why the soldiers had brought the marines there. Admiral Buckner asked what right he had to make the demand? The prisoner said, "I am not to be interrogated by you: your flag is struck; you have no authority here; I or *we* (I do not recollect which) command the fleet." Parker took out a pencil, and put questions to one or both the marines. In the last interview between Admiral Buckner and the prisoner, the latter behaved with the most daring insolence and contempt. I have frequently seen the prisoner, heading a body of men called delegates, pass and repass the commissioner's house, with a red flag displayed in their procession. These are all the particular circumstances which I can bring to my recollection.

By the Court.—I remember Admiral Buckner saying to the prisoner, that as he and the rest of the delegates of the fleet had pledged themselves to abide by the same regulations as their brethren at Spithead, he was astonished to find new propositions advanced which could not be granted. I think the prisoner, with five other delegates, replied, that it was the determination of the ship's company to abide by the latter propositions.

With this evidence the first day's proceedings closed at four o'clock, the court having adjourned till five o'clock the next morning.

Trial of Parker. Second day, June 23, 1797.

THE Court met between nine and ten o'clock. Immediately after the president had taken his seat, the prisoner said he did not wish to give Lord Northesk or Captain Knight the trouble of attending as witnesses on his behalf. Their evidence could only go to prove his general good behaviour, a point not materially affecting his case. It was observed upon this, that although the prisoner might declare then that he would not call any particular witnesses, yet he had it in his power to call them afterwards, if he chose; and the consequence would be, the trial must be stopped until they were forthcoming. The Court was then cleared to determine the question; when strangers were re-admitted, the decision was read, to the effect, that as the prisoner had only said he could *dispense* with the evidence in question, and as he did not say, the evidence would be useless, the Court held that the Earl of Northesk and Captain Knight should appear as witnesses.

The prisoner asked, whether fresh witnesses

could be allowed to come forward who had not been summoned on the trial previously to the assembling of the court-martial.

Captain Moss replied, that no witnesses would be produced, who had not been summoned long before the trial; but at the same time the opposite course would be perfectly legal. The president and the admiralty solicitor concurred in this opinion, adding also, that the same privilege would be extended to the prisoner.

Captain John Wood, of the Hound sloop, was then sworn and examined. "I know the prisoner perfectly; I believe he was a supernumerary on board the Sandwich; I cannot say for how long, but he was in the Hound in April last, and was transferred to the Tender on the 9th of that month. I saw nothing of the prisoner subsequently till the second of June, on which day he came on board the Hound upon her arrival at the Nore. He then told me he had the honour of representing the whole fleet, an honour which he should never forget; that he understood I had been very violent with some of the delegates, and that he advised me not to be so violent, or I must take the consequences. He then told me, he did not like the ship's company; that he knew they were attached to me, for which reason he should put the ship in a safe berth, whence she could not make her escape. He ordered the pilot to put the ship under weigh, and carry her as close to the Sandwich as possible. The pilot told him it was an improper time of tide. He replied, that if the pilot did not choose to put her under weigh immediately, he could find means of making him, pointing at the same time to the yard-rope. The

pilot got her under weigh, and laid her close to the Sandwich, when the prisoner ordered the anchor to be let go. We were hailed from the Sandwich and told that we were too near. The prisoner answered—'I think we are, Mr. Davis.' He immediately turned to the pilot and used threatening language. 'You have committed one mistake, mind you don't commit another; if you do, I'll make a *beefsteak* of you at the yard arm.' He ordered him to get the ship under weigh again, and to moor her between the Sandwich and the Inflexible. This was done, and she was laid under the Sandwich's quarter. The prisoner then turned up the hands, and harangued them forward. What passed I cannot exactly remember. In the course of his speech I heard him say, that he found my people were not hearty in the cause, and that he should be obliged to shift them. He asked if they had any complaints against their officers, promising to send on shore the obnoxious, and to retain those whom they liked on board. After this, about ten o'clock, I was taken out of the ship. I asked by whose orders it was done; a man, who called himself a delegate from the Sandwich, said, by the order of Parker, the president. I saw the prisoner rowing about the fleet with the red flag and a band of music; others were sitting along with him in the stern sheets as he went from ship to ship and harangued the crews, who cheered him as he passed. A man on board the Hound was put in irons; I inquired by whose orders, and was informed, by those of Parker. I sent two letters on board the Sandwich, one on service to the Admiralty, the other a private one. The letters were brought back again

to me with the remark, they could not be suffered to reach their destination without being first opened. I took my private letter, and told Parker he might open the other if he pleased. One of the men standing by desired him not to open it; the prisoner said—'Hold your tongue, you scoundrel, or I'll hang you at the yard-arm.' He then told me he would open the letter, and send it ashore in the sick-boat. I did not see him open it. The prisoner did not confine me, nor any of my officers; but he told me I must have nothing to do with the ship. He also told me, and the other officers, that he pitied our situation, but he must persevere for the good of the cause in which they were all embarked. The prisoner advised me, as a friend, not to be insolent to the delegates, as he understood that I had driven some of them out of the ship, by threatening to put them to death. I had some conversation with him subsequently, and I asked him, why he had sent men on board to force my people into the business; that they had no complaint, and wished to have nothing to do with it. He told me it was for the good of the whole, and they *must* have to do with it. The yard-ropes, at which he threatened to hang the pilot, were rove by a man belonging to the Pylades after the prisoner came on board. No one directed the management of my ship when she was under weigh. She dropped with the tide, and without sails."

The Prisoner.—You said, I advised you as a friend. I now desire you to recollect, whether I did not say, upon my coming on board the Hound, "Captain Wood, the differences in the fleet are of a very unpleasant nature. I feel myself, in some

degree, under an obligation to you, therefore I would advise you to do nothing at present, but to suffer the Hound to proceed in the same manner as the rest of the ships; for I have no doubt but that, in the course of a day or two, the officers will resume their command."

Witness.—I recollect when the prisoner came on board, he said he was under obligations to me, at the time I sent him on board the Tender; for which reason he had come to advise me to restrain my violence; but I do not recollect any expression about the officers resuming their command.

By the Court.—I saw the prisoner order the boatswain's mate to turn the crew up and send them forward, that they might hear his address.

Lieutenant Flatt of the Sandwich.—I knew the prisoner, he belonged to the Sandwich. At the beginning of the mutiny I did not know him. My first knowledge of him was when Admiral Buckner came on board; I then saw him giving a paper to the admiral, stating the grievances of the fleet. I heard the prisoner say, that he was president of the delegates of the fleet. I saw him going in boats frequently, and acting as a commander in them. I do not remember more upon this head, further than observing his activity in attending the committee. On the 2nd of June he desired me to go over on the starboard side of the deck and receive orders—"You are ordered, sir, to take in 111 men from the Tender, and to give the usual receipt for them, and we are answerable for our actions." I replied, "that I had no orders from Admiral Buckner, and that my receipt was useless, as I had no command." The prisoner rejoined—"We are answerable for what we

do." He mustered the men and I gave a receipt. I was sent for again and ordered to give a receipt for 15 men from the Lynn tender, with which order I complied. I was told by Davis this was done by the order of the prisoner and the committee. On or about the 9th of June I was a prisoner in the ward-room ; I saw the prisoner passing under the stern of the ship in a boat, and heard three cheers given over-head. The prisoner turned round and said, "he was going on board the Director to get a spring on her cable, and would send her and them (meaning, I believe, the Repulse and her crew) to the devil." The Repulse was then aground. I saw the prisoner go on board the Director, and saw a spring on her cable. A very heavy fire was then commenced from that ship against the Repulse. I did not see the prisoner return. On the 12th of June I was released from confinement ; but in the afternoon of the same day was confined again. I do not know by whose order. On or about the 14th, the prisoner came down into the ward-room and released all below, saying, we might walk the deck, but forbidding us to converse with the people. The prisoner sent for Mr. Mott, the first-lieutenant, on the same day we were released. Lieutenant Mott came on deck, and all hands were then called up by the prisoner's orders. He told them that Mr. Mott was to go on shore to bring up his Majesty's pardon, and asked the people if they were willing that Lieutenant Mott should go? The answer was, that they were, and they wished the ship should be given up to the officers ; some of the people requested that the white colours should be hoisted before Lieutenant

Mott went; who himself called out to haul down the blue and hoist the white. The prisoner then said to me, that if we changed the colours there were three ships astern which would fire into us. I called out to stop the colours from being hoisted till Lieut. Mott should return. They all agreed to this. Mr. Mott went on shore and brought off the proclamation, which was read on the quarter-deck by one of the clerks. The prisoner then spoke to the people and asked them if they were willing to accept of his Majesty's pardon, and to resign the ship into the hands of the officers, or to let her remain with *us* (as the prisoner termed it). The people all answered "To the officers," with the exception of two persons now in custody, Thomas Jones and one Davis, who said, "The ships astern will fire on us." The prisoner also objected to change the colours. The people again unanimously called out to change the colours, and I said, "They may fire if they please." The prisoner then joined the others in opinion, and desired them to give three cheers, in which he joined. I then demanded the keys of the magazine, and small arms, with which he complied, saying — "Here are the keys of the magazine, and I give up the charge of the ship to you." I had issued orders to unmoor the ship after the arms were secured. The prisoner came to me and said, "If you offer to unmoor, the ships astern will fire on us;" I told him it did not signify if they fired. The prisoner afterwards came to me and desired me to confine him. I said I would order him to a cabin and put two sentinels over him; he refused to go, and said he would heave at the capstan. This was on Tues-

day evening. I consulted whether it would be proper to confine the prisoner while we were under weigh, or to wait till we got into the garrison of Sheerness. It was agreed he should be immediately confined. Lieutenant Mott and myself went and met the prisoner on the quarter-deck. Mr. Mott laid hold of him by the collar, and carrying him down to the lower deck imprisoned him in a lieutenant's cabin, and placed two sentinels over him. The next morning I went down and put him in irons. The prisoner was afterwards sent ashore by Captain Moss's orders. When I put the prisoner in irons, I was induced to do so, not by any new matter or signs of violence in him; but by the command of Admiral Buckner to confine him more securely. Before I was released several men-of-war had separated from the fleet and had gone up the Thames. The prisoner himself released us, but did not say for what reason. I was informed that a black man, named John Campbell, demanded our release, but I did not hear or see him make the demand. I do not know whether the prisoner assumed any other title than that of president of the committee, which he called himself. When I say the prisoner acted as commander in the boats, I mean, that he ordered the boats to be manned, and was obeyed. When he went over the side, the boatswain's mate attended him. I was closely confined to the ward-room; but I saw the prisoner go down the side into the boat, because we were only confined three days to the ward-room, the rest of the time we were permitted to go upon deck. At the first breaking out of the mutiny, the master was commanding

officer; and for the remainder of its continuance, one Davis, who is now a prisoner. I do not remember seeing during the mutiny, a plan of defence hanging up on a board on the quarter-deck of the Sandwich nor under her poop.

By the Prisoner.—When Lieutenant Mott returned from Admiral Buckner with the proclamation, I was present on the quarter-deck the whole time while it was being read and taken into consideration. I do not recollect your begging, but only asking the ship's company, if they were willing to deliver up the ships to their officers and trust to his Majesty's clemency. When the white colours were hoisted you might have said publicly, that was the happiest moment you had experienced for a long time, but I did not hear you, the noise and confusion might have prevented me from hearing. When the fore-topsail of the Sandwich was loosed, you came in a respectful manner to me on the quarter-deck, and pointed out that the crews of the Inflexible and two other ships would, you were afraid, get springs on their respective ships, so as to rake the Sandwich at every shot. You also advised that it would be better for her own safety if the Sandwich did not get under weigh, until she was less observed by those ships.

Mr. Livingston, Boatswain of the Director.—I remember seeing the prisoner on board the Director, on the day the Repulse got aground in attempting to get into Sheerness harbour. As soon as he came on board, he went aft on the quarter-deck and requested a boat that he might repair with a flag of truce on board the Repulse. He then ordered all hands to be called. The request was

denied; then he wanted to slip the ship's cables to go alongside, which was refused. Upon this he ordered a spring to be got on the cable, that our broadside might be brought to bear upon the Repulse. When the spring was on, he ordered it to be hove in and to veer away the best bower. As the ship came round, he ordered the guns to be pointed at the Repulse: a gun was fired from the Repulse; I think from the quarter-deck: then the prisoner gave orders to fire into the Repulse from all the decks, as she had fired at us: the order was repeated by one of the delegates of our ship, and was complied with. Mr. Parker went off the quarter-deck, and I saw no more of him. To the best of my knowledge, the Director kept up a heavy fire upon the Repulse for the space of half an hour; two or three guns at a time from each deck on the larboard side. I saw the Monmouth firing upon the Repulse at the same time, but I could not distinguish whether she had a spring on her cable. In my opinion, no ship, riding as the ships were to the flood-tide, could bring her broadside to bear, without a spring. Joseph Mitchell, captain of the forecastle, had the command of the Director at the time when the prisoner came on board. I do not know whether the prisoner pointed or fired a gun while he was on board. I did not see him touch one. I did not notice any one else coming on board except Parker, and I saw him then for the first time. From the situation in which the Repulse lay aground, she could not have brought any of her guns to bear upon the Director, except her stern-chasers. The gun fired from the Repulse was fired from the larboard side of the quarter-deck. Her bow was

a little to the southward; I could see her larboard quarter; she was almost end on. Before the gun in question was fired, the prisoner ordered the guns of the Director to be pointed at the Repulse. When the guns were ordered to be fired, I was standing on the arm-chest, on the starboard side of the poop; the prisoner was on the quarter-deck. He spoke to the people, not in a loud voice, but loud enough to be heard from the quarter-deck to the forecastle, and ordered them to fire. The delegate on the larboard gangway repeated the orders. I do not know who ordered them to cease firing, neither how long the prisoner remained on board the Director.

By the Prisoner.—I was on the poop at the fore-part at the time when the boat was refused you. No gun, so far as I know, had then been fired from the Director.

The Prisoner.—Do you recollect my addressing the ship's company of the Director, and pointing out to them how dreadful a thing it would be for one brother to fire upon another; that if they would allow me a boat I would take a flag of truce in it, and repair to the Repulse, which I did not doubt would stop the effusion of blood, and what might happen to myself I should not consider of any consequence, even if I lost my life to save so many?

Witness.—I recollect you did point out "how dreadful a thing it would be for one brother to be firing at another." At the time you asked for a flag of truce I heard you say that it would save innocent blood from being spilt; that you were ready yourself to take a flag of truce and repair to the Repulse. I heard also the words "*if*

you lost your life," but do not recollect the connexion.

The Prisoner.—Was there any preparation for a spring on the cable, or any spring put on before I came on board?

The Witness.—There were neither to my knowledge. There might have been preparations without my knowledge. As I was on the poop, the hawser might have been got along the lower deck.

Samuel Hillard, the carpenter of the Director.—I saw the prisoner on board the Director on the day mentioned by the last witness, when the Repulse got aground, in attempting to make Sheerness harbour. I heard him ask for a boat to carry a flag of truce to the Repulse, which was denied by the general voice of the ship's company, as well as his request to take the ship alongside. The ship's broadside was then brought to bear by a spring on the cable, and the crew began to fire. The prisoner was on the quarter-deck. The Repulse fired a gun from her larboard quarter; upon which the prisoner said, they had returned the fire, and he ordered the men to level their guns; they continued firing from all the decks. I never saw the prisoner after that. The Director might have been firing on the Repulse about three quarters of an hour, from beginning to end, as near as I can judge. I saw the Monmouth with a small anchor carried out; but I believe she had no spring on her cable while she was firing. I do not know whether there was any inclination amongst the Director's company to fire on the Repulse before Parker came on board. I cannot say that the people of the Director fired upon the Repulse in consequence of the prisoner's orders. I

cannot say whether there was a spring on the cable before the prisoner came on board. Although I had liberty to go about the ship, a spring might have been put off without my knowledge. I saw a hawser got up before the prisoner came on board. I distinctly heard the prisoner; he appeared to act from his own mind, and not to take instructions from the Director's people.

The Prisoner.—Do you recollect whether all the guns on the larboard side of the quarter-deck were cast loose before I came on board?

Witness. Some were; I cannot say whether all were cast loose.

Thomas Parry, a seaman of the Monmouth.—I know the prisoner very well by sight, and have seen him twice. I saw him on board the Monmouth at the time the Repulse was endeavouring to escape into Sheerness harbour. I did not see him when he first came on board, but afterwards; he was then in the forecastle. When he came there he took command of all the forecastle guns. The gun which I attended was fired six or seven times at the Repulse. When the gun was about to be loaded the seventh time, I spoke to him not to put the cartridge in then; with that I wormed the gun out, and immediately afterward he ordered it to be sponged. She was then loaded; he was not content with a nine-pound shot that was in her, but seized a crow-bar, and put the thick end in first; I immediately took it out of his hand, when he gave me a shove on the breast, and I fell over the heel of the topmast. After that I was kept forward on the forecastle by one Vance, who acted as the captain of the ship. When I had been there one hour and a half I was

ordered to go below, and stay in my berth. I did not stay down, but came on deck; the prisoner was then standing upon the heel of the topmast. He ordered Vance to get our stream cable up, and to bend to our stream anchor. Vance said he could not do it. "Why, damn it," replied the prisoner, "slip your bowers, and go alongside the Repulse, and send her to hell where she belongs, and show her no quarter in the least." He then said "he could not stay any longer on board the Monmouth; he would go on board one of the other ships belonging to the fleet, and despatch her after the Leopard, to send the Leopard to hell likewise." The guns on the larboard side were kept continually firing on the Repulse. Before we fired, we got a small hawser out, and carried her to the best bower buoy. The jib and fore-topmast sail were hoisted to hasten the bringing of the Monmouth's side into such a position as to bear upon the Repulse. This was done by Vance's order. The prisoner pointed and fired the aftermost gun on the forecastle. The fire continued about twenty-three minutes. When the prisoner was standing on the heel of the topmast and had the conversation with Vance, I was by the bits, just before the forecastle. My station was at the aftermost gun on the larboard side. I did not see the prisoner come on board, and therefore cannot say whether any gun was fired by the Monmouth before his arrival.

By the Prisoner.—I had not fired any gun myself before I first saw you on board. The quarter-deck guns were fired before the forecastle guns.

The Prisoner.—You have been telling a great deal about hell; I wish to know whether you

have been promised anything for advancing this hellish account ?

The Witness.—No, I have not been promised anything.

The Prisoner.—I will bring witnesses to disprove what this man has said.

John Summerland, boatswain's mate of the Monmouth.—I saw the prisoner in our ship, standing upon something, as if he was going to make a speech. Captain Vance wanted to speak first, but the prisoner would not allow it; he would insist upon the ship slipping her cables. The ship's company would not agree to this proposition. Parker then said he would go to another ship, which he would take alongside the Leopard, and send her to hell. In the mean time the Repulse got off, whereu on Parker shook his fist and said—"Damn her, she's off." He then went on board the Sandwich. I did not see the prisoner with his clothes off in order to excite the people by his example to greater exertions, while the heavy fire was kept up. The fire lasted about two hours from beginning to end.

By the Prisoner.—I do not recollect when you first came on board. I do not know whether you were on board at the commencement of the Monmouth's fire, but there were a great many of the Sandwich's people then on board. The Monmouth fired at the Repulse before the Director.

Here the evidence for the prosecution closed. The president asked the prisoner when he would be ready with his defence. The prisoner saying he could not be ready the next day, Saturday, was asked, whether he could be ready by Monday. He answered, that he thought he could be ready. The Court then adjourned.

Third day. Saturday, June 24, 1797.

When the Court had assembled, the prisoner was brought in, and informed by Sir Thomas Pasley, that they had taken into consideration the request made by him, to be furnished with copies of the evidence against him; and that they were of opinion, such a thing could not be legally done. He then told the prisoner, that the Court had met that day in order to adjourn over till Monday, with the view of giving him time for the preparation of his defence; and finished by asking him, if he should then be ready.

The Prisoner said, he had no doubt of it.

The President observed to the prisoner, that by the intervention of Sunday, two whole days were at his command; but that the trial could not be delayed one moment longer than Monday morning, at which time the prisoner must be ready.

The Prisoner, bowing respectfully to the president, said he believed the time would be fully sufficient. He next asked the judge-advocate for a copy of the declaration he had made before the magistrate, at Sheerness. The president said, they had nothing to do with such a paper, although the prisoner had clearly a right to it.

Parker, having been furnished with pen, ink, and paper, was at the same time addressed by the president, who told him, that the indulgence which he had hitherto experienced would be continued; that the present postponement of the trial, by which the country was still deprived of the services of so many important persons, was a greater indulgence than had ever been granted to any man in a similar situation; but he should, notwithstanding, for the

remainder of his trial, have whatever facility he might think necessary for his defence, provided the Court had power to grant it.

The prisoner, appearing to be sensibly affected by these remarks, thanked the president in a respectful manner, and the Court adjourned.

Fourth day. Monday, June 26, 1797.

At nine o'clock the Court assembled, when the judge-advocate informed the prisoner, that in consequence of the request which he had made for the three seamen to appear as witnesses in his favour, who worked the gun at which he stood when the Director fired upon the Repulse, an express had been sent for them to Sheerness. The captain of the ship had forwarded the men, who should appear when called upon. The prisoner had also asked for a man of the name of Hollister, belonging to the Monmouth, and he also had been brought on board the Neptune.

The prisoner was then desired to proceed with his defence. He accordingly drew from his pocket a written paper, containing his defence, which he read to the Court, in substance as follows:—

"It was a circumstance well known to one of the members of that honourable court, that he had been bred to the sea from his youth; it could not therefore be expected, that anything should come from him but a plain and simple narrative of facts; and as he had had the assistance of no lawyer, or any other person, his statements would not be embellished with pompous or elegant language. He returned his sincere thanks to the Court for the indulgence they had granted him, by allowing a

longer time than usual to prepare his defence, by which means he was enabled to lay it before them in a more accurate form. He declared that nothing but the consciousness of his own integrity, and of the rectitude of his intentions, could have made him enter into the business in which he was charged with being a leader, and into which he had been forced. It was this consciousness that had supported him in the trying situation in which he was placed. He solemnly declared that his only object in entering into the mutiny, was that of checking a most violent and dangerous spirit of mutiny which he had seen prevailing among the seamen of the different ships, and the bad effects of which he had done all in his power to prevent; and if he had not taken an active part in the business, the fleet would have been in a much more dangerous and alarming state. After these declarations, he would just enter upon the material parts of the evidence that they had brought forward against him; and first, as to what had been stated by Admiral Buckner, he could positively say that he had never waited upon him, except when he had been ordered to do so by the delegates of the fleet, in whose name he had always delivered to him any message or communication which had been deemed necessary, and which was always couched in the most respectful language. With respect to his being appointed president of the committee, he would say that he could not resist such an appointment; it was impossible for a man in his situation to do so. He had been chosen to that office, and the delegates insisted on his accepting it. He had known nothing of the mutiny till after it broke out, and the moment he thus compulsively entered

into it, he endeavoured all he could to stop its violence, and promote measures of conciliation. Admiral Buckner had stated in his evidence that he had not been received with respect at the time he came on board the Sandwich: he (Parker) was at that time on shore, and therefore could not be affected by evidence of that kind. When he came on board, he expressed to Admiral Buckner his regret that he had not been treated with proper respect, and mentioned those things which have already appeared in evidence. The effort which had been made, or the feeble effort, as the Admiralty stated it, to man the sides as he came on board, were made at the risk of his (Parker's) life. An opinion had been propagated on board the different ships, that Admiral Buckner was not competent to settle the discontents subsisting in the fleet, and the Inflexible had declared, that if any respect was shown to the Admiral, they would come alongside the Sandwich, and sink her. Notwithstanding all that had been said respecting the Sandwich, it was not there the mutiny began; it originated in the Inflexible; and there it was always the most violent. It was there where daily meetings of committee-men had been held. The prisoner said he could not conceive the meaning of the red flag that was hoisted. Admiral Buckner's flag was hauled down before he came on board. It was necessary for him to mention something of the fact of two marines having been taken from the commissioner's house at Sheerness. He had been commanded by the delegates of the fleet to go and inquire after them at that time. Information had been brought to the delegates, who were drinking beer, that two marines were in custody on shore; he (Parker)

was sent to the guard-house to inquire after them, but not finding them there, he went after them to the commissioner's house, where he had been told they were. Here he saw Admiral Buckner, who bid him examine the two marines, and who said they had been guilty of using improper language. The Admiral, on that occasion, expressed his approbation of the language used by him (the prisoner). The marines were then taken away, and sent on board the Sandwich ; after which they were transmitted to the respective ships they belonged to. He would, on this occasion, ask whether it was likely that four men, unarmed as he and the others who went with him to the commissioner's house were, could have forcibly taken away two marines? When he saw Admiral Buckner, after his flag was struck, the Admiral said, "Parker, my flag is struck—consider my feelings." He answered, "I have feelings, Admiral Buckner, and I do consider yours ; I am sorry to see it, but it is not in my power to prevent it." On the evidence of those witnesses who stated they knew nothing of him, he would make no comment whatever. He would do Admiral Buckner and Commissioner Hartwell the justice to say, that they had used every endeavour in their power, as far as the business rested with them, to satisfy the minds of the fleet. The prisoner was then giving several particulars of the evidence against him, to which one of the members of the court objected as unnecessary and useless ; but the president, very properly, desired that the prisoner might be suffered to proceed as he pleased.—Parker then observed, "that Mr. Snipe, the surgeon of the Sandwich, had sworn that he was present at the

punishment of a man of the name of Campbell, who he said was flogged by his (Parker's) orders. The fact was, that this man was punished in consequence of the orders of the committee, for getting drunk with small beer. Mr. Bray, the master of the Sandwich, who had then the command of the ship, allowed that he deserved it, and acquiesced in the punishment. With respect to another man being put in irons, all that he should say with regard to him, was, that his punishment was inflicted on account of his behaving disrespectfully to Captain Moss. Snipe had stated that he was permitted to go on shore; he, however, took care not to return again until Captain Moss resumed his command, though he promised to come on board immediately. He should only remark, that it was not the most honourable conduct in that gentleman to break his promises, in the situation the fleet then was, with respect to the number of its sick, especially as he (Parker) had requested Dr. Snipe to endeavour to prevail on Admiral Buckner to allow all the sick on board the fleet to be carried on shore; a circumstance which showed that he had some feelings for those persons. Captain Surridge, of the Isis, had only sworn to recollecting his (Parker's) delivering the propositions of the delegates of the North Sea Fleet. He declared he had held no conversation with him on that subject, but left it all to the delegates. With respect to Captain Dixon's evidence, the remarks he had made upon that of Admiral Buckner, applied equally well to it. Captain Wood, of the Hound sloop, had declared that he went on board the Hound solely for the purpose of conciliation. Captain Wood had stated, that he was informed he

was ordered out of the ship by him (the prisoner). The person, however, who said so to Captain Wood, had not been produced; nor did the Captain pretend to know who he was. He assured the Court, that he never heard of this order which had been given to Captain Wood until he stated it himself on Friday. His (Parker's) purpose of going on board the Hound, was only for insuring the personal safety of Captain Wood. The expression *beefsteak*, which he was said to have made use of, and applied to the pilot, never came from his lips; nor did he give any order to drop the anchor, as had been stated. He, at this moment before God, would persist in denying these things; but he supposed that, in the hurry and confusion of things on board the Hound on that day, Captain Wood must have been mistaken. Of Mr. Flatt's evidence, he should say nothing now, but return to it by-and-by. Mr. Livingston, boatswain of the Director, and Samuel Ellis, had deposed that they saw him on board the Director, and that he had asked for a boat to go on board the Monmouth. What he had to say on this subject, would apply to both these witnesses. He was informed by a delegate that the Repulse was getting under weigh; and he was immediately ordered to go on board the Director, to endeavour to prevent her from making her escape. He readily undertook this business, as he hoped to prevent the effusion of blood. When he got on board the Director, he observed to the crew, that it was a very melancholy thing that one brother should fight another. He had asked a boat with a flag of truce to go on board the Repulse. His reason for requesting this was, because he observed the Repulse to be

aground, and he intended, if he had gone on board with a flag of truce, to remain there, and keep it flying until she got off. This, he was convinced, would have prevented the Director from firing upon her. All that he did on board the Director proceeded from feelings of humanity. He sounded the people of the Director, by asking them if they would wish to go alongside of the Repulse; but he was happy to find that they were not inclined to go to such a length, and declared he had used his utmost efforts to prevent the dreadful scenes which were about to take place; but he was obliged to give way to the general storm; and accordingly staid on board till the Director had ceased firing. As to what the witness, Thomas Barry, seaman of the Monmouth, had said respecting (Parker's) giving orders to fire, he would prove that every word of it was false, and that Barry had mistook his person, for he would satisfy the Court that he was then on board the Director. In the same manner he would disprove that part of the evidence where he, Parker, asked him if he had received any bribe. The truth was, that he went on board the Sandwich in the Ardent's boat, and he went on board the Monmouth after he quitted the Director, with the same view that he had gone on board the ship. As to his saying he would go to attack the Leopard, and blow her to hell, nobody could suppose that he would act so like a Don Quixote, as to enter on so rash and mad an attempt." After some few more remarks on the evidence, he proceeded to say, that he "believed the strictest justice would be shown him by the Court, but at the same time he requested that they would pay particular attention to the evidence of Barry, whom he meant to call, and by re-

examining whom he thought he should be able to disprove much that he had said against him." He then paid some compliments to the Court for the impartiality with which they had gone through the whole of the evidence, and said he had no doubt but that they would continue it through the remainder of the trial. "My intentions," he added in conclusion, "were good, and I have prevented much evil; justice is allowed to me by my country, and I hope that justice will now be done towards me."

During the delivery of his speech the prisoner was very collected, and spoke in a clear, distinct voice. He had no counsel or assistance of any description.

President.—Richard Parker, you may call evidence in support of your defence, but after evidence shall have been given, you cannot be permitted to make any observations upon it.

The prisoner made a respectful bow.

Lord Northesk.—I am Captain of the Monmouth. I was on shore when she fired on the Repulse. On the 6th of June I was on board the Sandwich. With regard to my impression as to whether I believed from my reception, that the people, notwithstanding the existing differences, were perfectly loyal to their sovereign and the country, I can only remark, the seamen said in the cabin, that they were very loyal. I remember the prisoner as I entered the cabin door ordered the band to play, "God save the King," "Rule Britannia," and "Britons, Strike Home." The prisoner appeared to me to be president of the people calling themselves delegates. He was the chief spokesman during my conference with them. I received from the prisoner the letter now produced and read as follows:—

Sandwich, June 6, 3 P.M.

To Captain Lord Northesk.

You are hereby authorised and ordered to wait upon the King wherever he may be, with the resolutions of the committee of delegates, and are directed to return back with an answer to the same, within 54 hours from the date hereof.

I have likewise to inform you, that an oath has been taken by the delegates of the fleet, that they have never had any communication with jacobins or traitors. R. PARKER. President.

The Prisoner.—Was your Lordship present at the writing of the above letter?

Witness.—I was present at the writing of the latter part of it, in which they declare their loyalty.

(Here the prisoner said he would withdraw the question, but as it had been answered, the Court would not allow it to be withdrawn.)

Witness.—The prisoner wrote the latter part without any dictation. I do not recollect seeing a show of hands from the delegates then assembled, ordering and insisting on the latter part being written, but I remember they wished it might be expressed that they were neither jacobins nor traitors, or words to that effect. I do not recollect whether the committee wished to have those words expressed before or after the prisoner had written them; I believe before.

Captain Knight.—I perfectly recollect being on board the Sandwich more than once during the existing differences. I was impressed with several marks of loyalty shown by the people on board. The band of music played, "God save the King," "Britons, Strike Home." They used many ex-

pressions of respect and veneration towards their Sovereign. I think I heard the prisoner make use of them himself. He spoke generally, as the mouth-piece of the whole crew. He was accustomed to say, if the Dutch fleet were then in the Texel, he would lead the Nore fleet in and attack them, in order to prove to the nation that they were neither rebels nor traitors. I do not remember the flags hoisted on board the Sandwich on the 29th of May and on the 4th of June, because I was not at the Nore on those days. On all loyal days it is the custom to hoist the standard at the main. It was on or about the 8th of June that I went on board the Sandwich with the Acts of Parliament and the Proclamation, and then I heard the prisoner make use of loyal expressions.

A letter was then produced, and the witness was asked if he had received it from the prisoner. He answered that he had received it from one of the delegates of his own ship.

The letter was read—It stated that the Captain might go on shore, but must return again in three days, that the officers were to be kept as hostages; and if the Captain did not return, it would be considered a breach of confidence. It also stated that the seamen had no connexion with jacobins. It was signed *Richard Parker*, president.

I recollect on the 8th of June, when I was on board, asking what the red flag really meant; and I was informed by the prisoner, or by some of his associates, that they wished to establish and fight under it, because the Dutch had stolen it from the English. I never heard the prisoner give any directions, but he addressed me.

Jacob Swanson, Gunner of the Sandwich.—I

do not recollect the particular day upon which Admiral Buckner's flag was struck on board the Sandwich. I do not know who aided and assisted me in striking that flag. I do not recollect at all to have heard Captain Moss say, on the quarter-deck, that as the mutiny had unhappily commenced, he thought it fortunate the prisoner happened to be on board the Sandwich, to keep down the spirit of the men, because he seemed moderate. I do not recollect to have informed the prisoner, during the mutiny, that such a conversation had taken place between Captain Moss and his officers. I heard Parker express a wish that the affair were settled, at the latter part of the mutiny. When the Repulse was aground, I did not hear the prisoner say anything about her getting off. When he came aboard that evening, he ordered the boat to be hoisted out of the Sandwich, to go, as he said, on board the Director, for the purpose of getting a spring on her cable, and that if his father was on board he would get her guns to bear on the Repulse, and blow her to hell, to which place she belonged. I heard the prisoner say, he thought the cause in which he was embarked a good cause, and he had no doubt of gaining his point, that is, a redress of grievances. I do not remember hearing the prisoner give any orders except upon that occasion; but I was very seldom on deck. I never heard the prisoner or any other of the delegates say what they meant by hoisting the red flag. I never inquired the reason. I recollect the prisoner saying to me, when talking of the Inflexible, that it was a great pity she was in the fleet, and that if it had not been for her things would have been

amicably settled a long time before. I do not recollect whether he said this after or before the King's birth-day. The Repulse got on shore at three in the afternoon, and got off about five or six on the same evening. It was late in the evening when Parker returned on board the Sandwich from the Monmouth. At the time when the prisoner ordered the Sandwich's boat to be got out, I cannot tell whether the Repulse was on or off shore. I think she was off before the Monmouth ceased firing. The Repulse was in Sheerness harbour before dark.

Edward Allen, a seaman.—I do not recollect the day on which the mutiny broke out on board the Sandwich. I was on board that day, and did not see Parker take any part in the proceedings then or on the following day. I do not recollect the prisoner saying to me at any time, it was a pity things should be carried on in a manner so violent. I never thought it would give him pleasure to see matters settled. I do not know what was meant by the red flag.

Matthew Hollister, a seaman of the Director.—I cannot speak to the hour or the minute, but it was late in the evening, when the prisoner left the Director, at the time the Repulse was on shore.

The Prisoner.—I have no other question to ask the witness; answers to other questions I wish to ask him might criminate himself.

Thomas Barry, seaman of the Monmouth.—This witness gave evidence before on the part of the prosecution.

Witness.—It was about four o'clock in the day when, as I stated before, the prisoner fired the forecastle guns of the Monmouth on the Repulse, as she was attempting to get into Sheerness

harbour. The man whom I called Captain Vance put me into confinement for about an hour and a half, from a quarter after four till about a quarter to six. The prisoner gave me the shove over the heel of the fore top-mast about four o'clock. In the hurry and confusion of things on board the Monmouth, it was not possible for me to mistake the prisoner for another person. The transaction respecting the crow-bar happened about ten minutes to four. The half-coat, which the prisoner used to wear, was off: he was dressed in a waistcoat. The conversation, related by me to have taken place between the prisoner and Captain Vance, occurred about half-past four.

The Prisoner.—I can prove that I was at another place at the time when the witness represents this transaction to have happened; and as for a half-coat, I never had one.

Samuel Beard, a seaman of the Monmouth.—I do not know the prisoner. When the Monmouth was firing upon the Repulse, I was on the forecastle part of the time, and part of the time at my quarters, at the second gun. After the fire commenced, I remained about a quarter of an hour on the forecastle. While I was on the forecastle, I did not observe any transaction with respect to a crow-bar being introduced into a gun. The firing lasted about an hour.

The Prisoner said he had no fresh witnesses to call; but, at his desire,

Matthew Hollister was recalled and examined again.—The prisoner quitted the Director a short time before the Repulse got adrift. I believe the Monmouth had then ceased firing; but I do not know whether the Monmouth or the Director

ceased first. My station was in the magazine of the Director; I went down for the safety of the ship. I was not in the magazine all the time of the firing. I went below about a quarter of an hour after it commenced, and remained there for twenty minutes: I then went up between decks, staid there a quarter of an hour, and afterwards proceeded to the main deck. The firing had then ceased. The prisoner left the Director between seven and eight o'clock.

Here the examination of evidence for the defence closed.

The President then told the prisoner that very heavy charges had been brought against him, and beseeched him for God's sake to call his witnesses, if he had any more, whom he wished to examine.

The Prisoner said, if he had a little more time, perhaps he might collect some farther evidence, and requested an adjournment till the morning.

The President replied, that was impossible.

The Prisoner then expressed a hope that the Court would take the circumstances attending his situation into their consideration, and recollect that he had been moderate in the whole of his conduct, and had latterly assisted in delivering up the ship.

The court was ordered to be cleared at about half past one o'clock, and the prisoner to be removed. From that hour until nearly four, the Court sat in deliberation. Upon the re-admission of the public,

The Judge Advocate stated, according to the usual form, the nature and object of the court-martial, together with the charges which had been brought forward against the prisoner; that the

Court had heard witnesses, on the part of the prosecution, to support those charges, and witnesses on behalf of the prisoner for his defence; and having maturely weighed and considered the same, *that the Court was of opinion, the whole of the charges were fully proved against Richard Parker, the prisoner*: That the Court, therefore, had determined that the *said Richard Parker should suffer death*: and that he be accordingly hanged by the neck, until dead, on such day, and on board such ship, as the Lords Commissioners of the Admiralty should appoint.

The Prisoner then read from a paper which he held in his hand a few observations to the effect, that he declared before God, he could answer for the rectitude of his intentions; and however criminal he might appear in the eyes of the world, he was conscious of having exerted his utmost endeavours to promote the interests of mankind. He hoped that his death might make an atonement to the whole country; that it would answer for all the rest of the fleet, and that no other person charged with the crime for which he was to suffer might be put to death. He was confident, if such were the case, that all the seamen, now imprisoned, would cheerfully return to their duty.

The President told the prisoner that it was in the power of the court to order his execution within a few minutes after the sentence; but that in order to give him space to repent of the heinous crime of which he had been guilty, they thought proper to leave that business to the Lords of the Admiralty. His time, however, could not be long.

The court immediately broke up.

CHAPTER X.

CONSIDERABLE labour has been devoted to giving, in the foregoing pages, a clear and full report of this interesting trial, from a careful collation of contemporary accounts. And here, amid the heavy censure we are obliged to award to others, it is a pleasing duty to remark, in honour of the gallant and distinguished officers who sat on Parker's trial, especially the president, that, *for a court-martial*, their fairness and humanity stand out in marked exception to the generality of those odious perversions of justice, COURTS OF MARTIAL LAW!

To say that much evidence was admitted, not one word of which ever ought to have been heard against any prisoner in British custody; to surmise that many of the witnesses who swore against him might have been actuated by motives of animosity, hope, prejudice, or by misapprehension, which, if properly laid bare by cross-examination, would have materially affected their credit; to make observations so natural as these, is merely to proclaim a series of truisms which must ever apply to a style of inquiry so arbitrary, so prejudiced, so inconsistent, and iniquitous as the trial by courts-martial.

By the laws of England, the felon who commits the most brutal of all crimes, the most savage of murders, can only be tried by twelve of his equals.

Of these he has not only the unlimited right of rejecting as many as are open to any legal cause of objection, but a further privilege of dismissing from the jury box twenty more, without the assignment of reason or cause *. He next has the advantage of being defended by all the ingenuity and skill that human power can compass, and if too poor to procure such services himself, the court, on application and statement of the fact, is empowered at its discretion gratuitously to assign counsel for his defence. Against this humble wretch the merciful majesty of English justice allows not one word to be urged in prosecution that can possibly prejudice the prisoner's case, not one particle of evidence to be received that is not in strict accordance with those laws and precedents which the experience of ages and the most refined wisdom of English judges have laid down through the long practice of centuries. Not one witness is permitted to open his lips against the prisoner without being subjected to the severest scrutiny as to his means of knowledge, his motives, his own previous good or bad character, and the degree of credit which may be attached to what he swears. The whole proofs against the criminal are then sifted by a judge, whose entire life has been devoted to the administration of the law and the investigation of truth.

Under a guidance so carefully guarded from error, the entire case is presented once more to the jury: They are especially charged to give every reasonable doubt in favour of the prisoner, and finally, if found guilty, he is allowed to take ad-

* 4th Blackstone's Commentaries, p. 353. "A provision," continues that celebrated writer, "full of that tenderness and humanity to prisoners for which our English laws are justly famous."

vantage of every technical error that may on his trial have occurred in the slightest point of established form.

Such was the action of the criminal law in England, on the day that witnessed Parker's doom. Even at that time the British empire possessed no greater boast than the enlightened administration of this very criminal code. Since then, however, mercy has attempered its stern duties by many and marked reforms: among the rest, by permission to the prisoner's counsel, in all criminal cases, of that address to the jury which the counsel for the prosecution have ever possessed, but which was only granted to persons accused of the dreadful crime of treason, so late as the reign of William the Third (7 & 8 W. 3, c. 3), and not extended to felony till 1836 * (6 & 7 W. 4, c. 114.)

With this mode of trying the most odious felons in Parker's day, let us contrast the trial by court-martial as it was then and still remains.

Instead of the hideous offence of murder on shore, let us take a trivial act of passion afloat. A seaman is made the subject of most foul language, in itself a breach of the articles of war (art. ii.), and receives a violent blow from one of his officers in the ordinary course of the ship's duty—an occurrence in the days of Parker as frequent and ordinary as the serving out of his impure water and provision. In the heat of the moment the outraged sailor "lifts up" the first offensive weapon at hand—a crow-bar or hand-spike; he threatens for an instant, but strikes no blow; reason rushes to his rescue, he flings down the "lifted" instrument, and silently submits to his oppressor. For this offence on the seaman's

* This right in cases of *misdemeanor* always existed.

part, what does the reader imagine is the punishment incurred by the Articles of War?

Blush for your country while you read the answer! It is—DEATH!!!—(Article xxii.)

This—this is the penalty awarded to such an offence by those Articles of War, whose blood-thirsty ferocity had their share in paving the way for the Mutiny at the Nore; of which the mutineers themselves complained as being so dreadful as to terrify the King's subjects from entering the King's navy, as well indeed they might. These very Articles of War, be it ever remembered, the "gracious" minister and the "grateful" nation refused to alter in the least degree, whatever blood or ruin might be shed or caused in their defence, and which—mark the climax!—though framed as far back as 1749; REMAIN UNALTERED TO THIS DAY, 1842!!!*

Now then for this offence thus committed afloat, let us note how the seaman would be tried. Let us contrast his trial with that of the murderer ashore, and bear before our mind's eye that the punishment of each is the same—DEATH, and that both offenders are equally born in the same country and living under the same government. In both cases the same party is the prosecutor, the Crown. To try the murderer, the Crown cannot retain one single juror: the murderer, as we have said, may without a reason reject twenty, and as many more against whom he can show legal cause. The judge who tries the murderer is so entirely independent of the Crown, that he can only be

*. See the Articles of War, *verbatim*, at the end of this chapter.

removed on the address of both Houses of Parliament to the Sovereign.

In the navy, the seaman must submit to be tried by a court casually composed for the occasion, uniting the powers of judge and jury expressly nominated by the Crown, who prosecutes, and all of whom are kept so slavishly dependent on that crown, that they may be stripped of their commissions and every particle of their honours at the mere breath of the Crown's minions,—the Board of Admiralty,—without even the right of a trial.

Disclaiming the slightest offensive meaning towards the gallant but unfortunate officers who have so often been made the victims of this barbarous tyranny, is not this an admirable comparison of the two tribunals at the onset? Should the offending sailor espy among his hermaphrodite jury-judges the greatest enemy he has ever known, his protest is as idle as the wind, unless he can make valid his objection,* and even then it is very doubtful if this would be allowed. The next consideration that forces itself upon us, is the chance-medley by which alone must often be determined the fact whether any or how many of these packed judges ever sat upon a trial before, or ever previously applied his mind to that difficult and nice mental labour, the elucidation of truth from conflicting testimony? As if in diametric opposition to the spirit of equality in the laws on shore, no officer is to be found on the court below the rank of a Commander, (see Articles of War,

* No peremptory challenges are allowed; challenges for cause are very limited, and no precedents are given of their ever having been allowed. See M'Arthur on Courts Martial, vol. i. p. 272.

sect. 36,) and every possible care seems exercised not only that the seaman shall not be tried by any one who can be imagined his peer, but that a set of jurors or judges, call them which you will, shall be got together with every possible prejudice of rank, station, habit and command, militating against the lowly and unfortunate prisoner.

In this case the seaman would most probably be unable to write his own name; yet he might as well demand the honours of an admiral's flag as the assignment of counsel to watch the proceedings. Even should his friends, by some rare chance, have procured him this assistance, his advocate is allowed only by favour, nor is permitted to address the court, to take a single objection, nor to examine a witness.

As this mockery proceeds, the worst evidence is as often admitted as the best, and hearsay finds quite as much admission from the skilful tribunal as direct testimony. But for this glaring absurdity and rank injustice, there is a weighty reason: scarcely one, if any, of the judges could command the knowledge necessary to distinguish the one from the other. If the most perjured and forsworn of witnesses presented himself against the prisoner, the only attempt that can be made to supply the want of that safeguard of our personal liberties and happiness, cross-examination, is the slow administration by the prisoner of such questions as the court chooses to allow, and which must generally, if not always, be written down before the witness can be compelled to answer them. By this almost inconceivable folly, the sole hope of examination—rapid question and answer—is swept away, and the corrupt perjurer, the malicious forswearer, gains the most ample

time to fabricate any untruth that may most conduce to his ends.

The prisoner having made his defence, the court is cleared; those who have dovetailed the widely and properly severed offices of judge and jury hold a secret conclave with closed doors. No impartial head, clear from the agitating and often distracting responsibility of pronouncing on life or death, reads over to them the evidence, or lends the light of past ages and experience to elucidate whatever is dark or doubtful. Be the prejudices or disabilities of those men what they may, they are left to expound the statute by which alone their authority is supported, to decide how far the facts come under their exposition of the statute, and to apportion the degree of punishment to the facts—an extent of powers which on shore it often requires jury, judge, and Crown to compass. Finally, the requisites of technical precision are so loose and wide, that little can be hoped for the accused from any informality. One only point redeems the whole of such proceedings from the barbaric level of Turkish "justice." An officer, under the title of judge-advocate, attends (generally by a deputy, who may be a lawyer, or may not) to advise the court. But it must never be forgotten that this officer rarely attends in person, and that his office lies prostrate at the merest caprice of the Crown. A corrupt or unprincipled minister can, at a moment's notice, fill it with his own creature.

When we look back to such monsters as Lord Jefferies, and reflect how often even the highest judgment-seats in Britain have been desecrated by corruption and time-serving, until the

judges were rendered independent of the Crown at the Revolution of 1688, no man can for an instant imagine that such a combination of cruelty, tyranny, and absurdity as our court-martial system is at all rendered safe by such an appointment as that of a judge-advocate. It is evident at a glance the enormous interest which the Crown, or, in other words, the administration of the day, may possess in the verdict of a court-martial, and the horrible means thus placed at their command to influence it.*

Should any bigoted admirer of this school be so mad or wicked as to question this truth, let him inquire on which of the waters of our broad harbours was murderously shed the guiltless blood of Byng?

Let him seek the page of the admiring and pensioned biographer, and ask under what circumstances the noblest and most heroic name that gilds even British naval history became tainted and eclipsed by the legal assassination of Prince Caracciolit?—the one victim being sacrificed scarce two years after, and the other forty years before, the trial of Richard Parker.

If such rank and influence proved an insufficient protection against the atrocities of the court-martial system, what can avail the writhings of the friendless British seaman?

Nay, even more, if further ground for argument were needed,—Why—let it be again and again demanded—why was Richard Parker torn away from the civil authorities, to whom he had already been delivered and handed over with such marked solicitude, to the gentler arms of martial law?

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* See general note at the end of the volume, as to an Admiralty secretary corresponding daily under *secret covers* with a deputy judge-advocate.

† See Southey's Life of Nelson.

What was his offence? was it not TREASON?—TREASON AND REBELLION? Had not the minister gone out of his way in the most pointed manner to gain an act of parliament—an *ex post facto* law to make this very man's offence "Felony" and "Rebellion," and liable to be tried, in the words of the act, "before any court of oyer and terminer or gaol delivery for any county in that part of Great Britain called England, in such manner and form as if the said offence had been therein committed?" Such is the language of the 7th section of 37th Geo. III. c. 71. The 3d and 4th sections of the same statute expressly declare all offenders under the act to be guilty of "felony," and liable to the pains of death; while the 8th section emphatically provides that all parties guilty under the act, but not tried under it, may still be tried for high treason, or misprision of high treason, in the same manner as if the act had not been passed.

This language of the minister's statute being an admission of our assertion that Parker was open to a charge of high treason, let it be shortly stated in what way his crime amounted to so terrible a charge.

Without wishing to confuse the reader with all the technicalities of legal language, it may be generally laid down that the law of treason in this country rests principally on the memorable statute 25th Ed. III. c. 2, and the 36th G. III. c. vi. The former is what the lawyers call declaratory of the common law: in other words, it introduces no new provisions, but simply declares the state of the common law on the subject of treason, at that time particularly necessary, as, through the corruption or weakness of judges

many acts were tortured into treason which bore not the slightest resemblance to that offence. To remedy this evil was passed the 25th Ed. III., one of the most celebrated in the annals of English jurisprudence, and one which, from its accurate enumeration of the offences which should for the future constitute treason, and its express denunciation against declaring any other offence to be so except by the authority of parliament, has ever been considered one of the greatest safeguards of the liberty of the subject in this country.

To remedy some imperfections in the above statute, the 36th G. III. c. vii. was passed, the provisions of which are altogether cumulative on the former, as there is an express clause in the latter, which declares that nothing in that act contained shall prevent any person from being indicted and tried under the 25th Ed. III., as he might have been before the passing of the act in question. The three principal branches of the 25th Ed. III. are those which declare it to be treason either "to compass or imagine the death of the king," "to levy war against him in his realm," or to "be adherent to his enemies within the realm."

There have been many decisions by the judges of former times on these branches of the statutes, which it might perhaps be difficult to support at the present day. Thus it has been held that a conspiracy to depose or imprison the sovereign, or conspiring to levy war against him, amounted to an overt act of compassing his death within the first branch of the act *; and on the third branch,

* 4 Blackstone's Commentaries, 82, and the legal authorities there quoted.

that there may be a *constructive* as well as an *actual* levying of war; and that the offence may be done by taking arms, not only to dethrone the king, but under pretence to reform religion or the laws, or to remove evil counsellors, or other grievances, whether real or pretended.

But whether these and similar decisions were well or ill founded is not a matter for present inquiry; for in Parker's case there was not only a direct and positive assumption of the functions of royalty in taking the command of the fleet, and giving written permission to merchant-vessels to pass up the Thames, but an *actual* levying of war by firing upon the Repulse, Leopard, &c., which men-of-war at that time bore the royal commission and were proceeding on the authority of their officers in obedience to the commands of the Crown.

But in this matter the case is so strong as to be capable of throwing aside even the strongest of all arguments. It stands forth beyond all doubt or denial that the ministers themselves were quite convinced of the fact of the mutineers being guilty of treason, since they caused their monarch, by royal proclamation of May 31, 1797, (see *supra*, p. 195,) to declare the proceedings of the ships' companies at the Nore to be "rebellious, mutinous, and treasonable."

Finally, to accumulate proof upon proof, we see that two delegates from the Inflexible were seized and committed for treason and other acts (p. 250); and subsequently Richard Parker, after an examination of three hours before two lords of the admiralty, was himself committed to Maidstone jail, charged with acts of piracy and HIGH TREASON. As the latter is by far the more "solemn and ter-

rible" charge of the two, let it be inquired if such a crime is known to the laws of England on shore? The reply is ready—HIGH TREASON is the heaviest crime the British laws can know; it is one which has, beyond all others, occupied our legislators and judges, and is the most carefully guarded in its ingredients, the most dire in its penalties and punishments, and the most humanely protective in its opportunities for defence.

Reverse this question. Is high treason known to naval martial law? Not in the most remote degree; no instance has ever occurred of naval martial law having been empowered to take the slightest cognizance of it. Throughout the whole Articles of War such an offence is never even named. Then why let it be again demanded?—Why was the prisoner so especially made amenable for treason by an act of parliament passed after his offence had been partly consummated?—Why was this offender against the laws of treason, for which, after a protracted examination before two lords of the admiralty, he had been committed to a county jail—why was this man snatched away from the civil power, that possessed every jurisdiction over this terrible offence, and given up to martial law, which could not recognise his declared crime even by its title? Why was he taken from the protection and custody of that law by which he would have received the most impartial and fair trial known among men, and given up to that code of all others the most bloody—the most prejudiced—the most partial? The answer is too obvious to admit the slightest doubt—Parker's death was pre-resolved upon, and the only question studied was that of getting at this merciless revenge in

the speediest manner. The minister knew what was required of him, and with his usual cunning achieved it. Had his only object been the furtherance of justice, he needed not to have recourse to any such glaring inconsistency, any such unmistakeable act of arbitrary power and revenge, as brand the withdrawal of a criminal especially charged with treason, from the trial by jury, settled again and again by act of parliament, to place him for a minor offence before an inferior tribunal ignorant of what treason meant; nominated and removeable at the minister's despotic pleasure, where every species of evidence, hearsay or not, was to bind the halter round the neck of the victim whose death was prejudged before he had pleaded to his charge. Inheriting a commanding intellect, as the second Pitt undoubtedly did, though with principle to guide it far inferior to that of the great statesman from whom he descended, it cannot be attributed to any error, that the head of the cabinet pursued this course with Parker and the other mutineers at the Nore. It arose from the deliberate adoption of those means chance threw in his way, of biassing at least, if not of perverting, justice. After the long series of most gross blunders that had disgraced Pitt's policy at the outbreak of the mutiny at Spithead, it would indeed have been a climax to his shame and confusion, had an English jury pitied the wrongs that drove their naval defenders into crime, and availed themselves of any doubtful point to acquit the ringleaders. Had Parker been tried for treason, he would, as a matter of right, have been able to address his equals, his jury, by the lips of two successive counsel (7 & 8 W. III, c. 3, s. 1). Mr. Pitt,

—himself a barrister of Lincoln's Inn—could not have lost sight of this marked difference between the two tribunals of judicial and martial law, when selecting one for the execution of the man who had so obstinately defied his power.

There was, moreover, at this time a name upon the lists of the English bar not altogether unknown to fame,—that of the Hon. Thomas Erskine. Three years before the period of Parker's trial, Mr. Erskine had defended Horne Tooke and others against a charge of treason, and by the acquittal of all his clients, gained a series of triumphs against the cabinet of Mr. Pitt, which was not only the most severe defeat that despotic and unconstitutional minister ever received in England, but which proved the greatest blessing and support ever rendered to the laws of Britain, in preserving the then much endangered rights of English juries from the insidious arts of assailants no less powerful than determined.

Is it or is it not probable that Mr. Pitt had glanced at the eligibility of allowing Erskine an opportunity of addressing a jury on behalf of Parker?—of laying bare, with all the terrible fire of an eloquence never surpassed at any bar, and all the zeal and determination of the truest worshipper of national freedom, those crying iniquities, those bloodthirsty punishments, those heartrending impressments, those maddening acts of cruelty and oppression — those mean, endless, and unpitied hardships of food, of clothing, and of pay, which, aggravated by long years of the most brutal and cold neglect, had at last festered into so deadly an outbreak, that the safety of the empire and the continuance of society under its existing form were

owing only to the accidental absence of sufficient genius among the malcontents to carry out their own gigantic power?

View the case as leniently as possible, no minister who for long weeks had been lying on the gridiron of so torturing a public catastrophe as this mutiny must have proved to the responsible head of the state, could have failed to see the possibility here considered.

The means taken to avoid it were as unprincipled as tyrannic. Since, however, no scruple of justice, honour, or conscience availed to let the law take its unbiassed course, let us just glance at the species of mock trial that really was offered, to blind a nation bellowing for blood.

Were not the solemnity of these proceedings stamped with the last seal of Parker's life, what reader could refrain from contemptuous laughter at a court whose decisions could be guided by such evidence as some of the foregoing? At the opening of the trial, two letters are read for the prosecution against the prisoner—who should rather be styled the victim. One letter is written by Admiral Buckner to the Admiralty, and another by Captain Ross to Admiral Buckner; as outrageous an admission of hearsay as perhaps ever the annals of courts martial could disclose. Neither of these letters was written under the binding influence of an oath; nor had the prisoner the slightest power over them or their writers; while, as if to render their production more flagrant in this instance, both the writers were in court to swear to the facts, if either of them knew any against the prisoner.

If a man's life is to be taken on such evidence—

if his judges are to be in the least degree influenced by it—if a particle of such evidence is to be read in a court trying him, it would be quite as reasonable that the government should have called some ancient dame from the solitudes of Kamschatka at once to swear her opinion that Richard Parker deserved hanging.

But passing by all the other instances that occur in this trial of hearsay being received as proof, and the want of accuracy from confusion in some of the witnesses' statements, which nothing but a rigorous cross-examination could have set right, as well as the suicidal ignorance that misled the prisoner into calling for his defence testimony that had already been sworn against him, two prominent objections appear against the justice of the trial.

First. What became of the question of Parker's insanity? If he really were of unsound intellects, as his widow stated—and by all accounts truly stated, since she referred to instances of this malady before any charge existed against him, and government made no attempt to clear up these ominous facts,—then was it nothing less than deliberate murder to visit a lunatic with those penalties of death to which the sane are alone responsible? If this alleged insanity in Parker were a pretence, it was at least due to humanity and the character of the country that such a pretence should have been sifted to its false foundation. Then arises the question, where and how could the truth or falsity of such a tale have been so properly, safely, and satisfactorily sifted as before an English jury? Did the minister fear that twelve Englishmen should declare that his govern-

ment had been baffled, and the empire convulsed almost to its destruction, by a mere minion of the moon?

The defence of insanity, even when most clear, is one which a madman would most certainly avoid making himself, it being part of his disease to imagine himself sane. On the other hand, when the insanity is clear, it is a defence which counsel would as certainly advance in cases of life and death like that of Parker. This at least must be evident to all competent to form an opinion,—than Parker at his trial, no fugitive from Bedlam could have conducted his defence against such a charge with more of that reckless folly, varied by occasional sharpness, which mostly distinguishes the mental character of deranged people.

Secondly. It must ever appear that a degree of most extraordinary hurry was used in every department of the executive to hasten Parker to his grave.

On Thursday morning, June 15, Parker was committed to a county jail for high treason. Suddenly he is snatched from the civil power, which alone could try such an offence; handed over to naval martial law, that is unacquainted with the crime even by name, and therefore unpossessed of any power to investigate it—the court is formed to try him on wholly different charges, the evidence against him is prepared—the court opened, and he himself placed at its bar to answer for his life—all within one petty week. In this haste was Parker delivered up to the tenderness of a tribunal, not only empowered to come to their decision upon hearsay evidence, which in any court on shore would have been and still is insuffi-

cient to be followed by an hour's imprisonment to any criminal, but which tribunal further possessed the power of ordering instant execution after the finding of their sentence.

That such hurry on the part of government did not fail in producing its result, is evident in the edifying spectacle of the president of the court reminding Parker of the awful nature of the charge against him, and adjuring him "FOR GOD'S SAKE" to call any more witnesses that he had for his defence! What is the reply to this dreadful appeal? The answer of Parker, the alleged lunatic, is, that "perhaps he might be able to do so if the court would allow him a little more time"!! The time is *not* allowed. In a few hours the court, with doors closed, and each member sworn to secrecy, on their proceedings, pronounce a sentence of guilty, and, within four days, Parker is put to death.

Let the haste of this trial be contrasted with the conduct of a trial for high treason on shore, and another cogent reason may be discerned in the order of the minister depriving Parker of such privileges and protection.

Finally, if any proper principles had regulated the executive of the day in its exercise of its power —if there had been no criminal secrets to conceal, no bloodthirsty vindictiveness to gratify—why, or under what justifiable pretence, did they deprive the country at large and the navy in particular of the natural satisfaction that an English jury should pronounce upon crimes of such magnitude? Why did the minister deprive himself of the immense moral support which he would have gained by a verdict of "Guilty" so honourably and fairly obtained?

Among many thoughtless but not ill-meaning persons, the foregoing trial, and inquiry on its justice, may elicit the queries—"What can it import how Parker met his death?—Can it be doubted that he was guilty?" Similar words doubtless were used by many Athenians on the death of Socrates. Such may be the questions raised on the execution of any public character, whether the greatest of criminals or the noblest of martyrs, according as the faith, the feelings, or the prejudices of the latter may dictate. But, not to speak profanely, thus spoke many of the Jews who crucified the holy Author of that faith, a minister of which, as we shall see, gave all the sanctity of religion to the judicial death of Richard Parker.

Let no man who generously reveres the public liberty or selfishly adores his own, suffer even such a thought to cross his mind. The slightest safety for the lives and property of mankind is utterly incompatible with the least judicial compromise between the utmost despotism that enables the Sultan to bowstring any subject whose wealth he covets, and those British rights that enable an Englishman to withstand and triumph over the utmost strength of the Crown when unjustly exerted. When once unfair influence obtains among the tribunals of any country, it is idle to inquire to what extent it may proceed; its limits will only be bounded by the limits of the power to corrupt or intimidate, the wish to screen or to revenge—the influence, in short, of power or gold.

If those only are free whose liberties are unshackled—if those are slaves from whom such liberties are withheld—if the first right of liberty be, as Britons boast, a fair unbiassed trial, and

English courts of justice form, as mankind generally admit, the most perfect specimens of even-handed justice, what then, let it be demanded, is the position of the officers and seamen of the British navy at this hour?—are they free men, or are they slaves? This is clear—under the present system of naval courts-martial, justice, as it is known and worshipped on the shores of Great Britain, is a thing as little to be expected on those high seas from whence her greatness rose, as that the sun reflected on their eternal mirror shall renounce his light.

Whether Parker deserved or not to die, is not the question; and were it so, it is a question that can never now be fully ascertained. If he did deserve to die, the less excuse existed for taking him from the unbiassed powers of the courts of law, that would in such case have undoubtedly required the atonement of his life under every circumstance of solemnity and dread that could assure the innocent and deter the guilty. If, on the other hand, Parker did not deserve death, does not the worst form of murder lie couched in the crime of that overstrained authority that took him from the protection of a jury, to steal away his life before a mock tribunal, every member of which the Crown had power to degrade and strip of honours, commissions, and pay, without trial or the assignment of a single reason, provided such members of the court happened to offend the minister either by daring to acquit the victim arraigned *, or by any other offence?

* Dreadful and incredible as the possession of this monstrous power by the government may seem, it is one the pitiless exercise of which has been bewept by many a broken-hearted and

The worth or worthlessness of Parker's character becomes here of as little moment as the value

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*gallant servitor of his country. But a few examples from the host that might be quoted will suffice. Captain Hanchett, C.B., an officer whose daring bravery had been repeatedly proved in action—who commenced his career by winning as a midshipman a patriotic sword from the committee of Lloyd's, proposed the institution of the coast-guard, and was appointed at its head with emoluments of £2000 a year, or more. A charge was made against him of attempting to sell his appointment. Without the slightest trial, or any court of inquiry as to his guilt or innocence, he was dismissed his post, stripped of his commission, degraded of his Companionship of the Bath, and, for aught the Admiralty cared, turned forth a beggar in his age upon the world: nay—scarcely credible iniquity!—an official attempt was made to rob him of the pension purchased by his blood, and won by his repeated wounds; and this was only spared to him by the interposition of the king. After more than twenty years spent in protestations of innocence, petitioning every quarter of the executive for some trial or inquiry into his conduct, backed by a favourable opinion on his case by the then law officer of the Crown—the attorney-general—neither trial nor redress has been granted to Captain Hanchett up to this hour; though on the appointment of the naval and military commission, the Admiralty, shamed by the outrages he had undergone, granted to him a tardy pension—but no commission—no restoration of the Bath—no half-pay. Of his guilt or innocence it is not pretended here to judge. In either case the government are equally criminal. If he was guilty, why are the resources of an overtaxed country wasted on a culprit? If he is innocent, what can surpass the infamy of the then government in blasting and embittering the whole life and prospects of an old and most intrepid officer, by withholding from him a fair trial and acquittal, with every reparation to which he is entitled, by more than twenty years' suffering of the most cruel injustice? This case is, if possible, surpassed by the following.

To the House of Commons.—The humble Petition of Rowland Milner, late a Lieutenant in Her Majesty's Royal Navy,

Sheweth,

That your Petitioner, in the year 1821, received a letter from the Admiralty, stating that he was accused by one Solomon

of the metal that irradiates the ruby into a priceless jewel, or discolours it to a comparatively valueless

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Alexander, of having given him, in July 1810, a power of attorney and affidavit to receive certain half pay, said to be then due to him, for the period between the 13th of March and the 7th of July 1810, and which half pay he (Alexander) alleged that your Petitioner personally received upon *another* affidavit.

That your Petitioner, upon the receipt of this charge, denied at once having any knowledge of such transaction, or of his accuser, the said Alexander.

That your Petitioner's answer not being satisfactory, he was deprived of his half pay and future prospects in his profession.

That your Petitioner begs leave to observe, that if it were true that Alexander presented the said affidavit, or that he (your Petitioner) received such half pay, the Admiralty have the proof in their hands, and can produce it, as he humbly submits they ought to do, in justification of their treatment towards him.

That your Petitioner being upon full pay at the time the alleged transaction is said to have occurred, he solicited the Admiralty to be brought face to face with his accuser before a court-martial, which was refused on the ground of the lapse of time not permitting it. The Admiralty likewise refused to bring the case before a civil tribunal, where it might have been fairly examined, your Petitioner not having the means of doing so.

That your Petitioner having petitioned the Crown without effect, he feels that his only resource is in the justice of your honourable House granting him a Committee to examine into the circumstances of his case, and that if he did himself receive the aforesaid half pay upon another affidavit, as alleged against him, the Admiralty can prove the same by the books at the Pay Office, which in such case must have been signed by your Petitioner. That the real time for which he had half pay due, was from the 7th of December 1809 to the 13th of June 1810, being 96 days prior to, and 26 days short of, the time mentioned in the alleged affidavit, during which last-named period of 26 days he was upon full pay, and consequently subject to be tried before a court-martial, if any such charge had been made.

That your Petitioner can prove, by a note from the paymaster, that no such half pay as that stated by his accuser was ever received by him, as also that the alleged documents are forgeries. Persons of high authority are reported to have objected to charges being made against officers after a long lapse of years, as well as to

stone. It is the immeasurable stake of the public liberty that became involved in his person, that can raise to the most vital import the meanest or most guilty individual. For Parker in his own narrow capacity, no one can fail to feel the utmost pity and contempt. If in reality he were a person of sound intellects, and not that mere madman which there seems great reason to believe he was, it must be granted on all hands that the just claims of the fleet could not have met a more disastrous calamity than the advent to their standard of a person like Parker, whose smattering of education and once superior grade, temporarily elevated him above the rude seamen, many of whom, however illiterate, must have been much better formed by nature to grasp the reins that trembled in Parker's feeble hands.

He was evidently unfitted either to create or to continue an affair of magnitude, much less to conduct its operations to a successful issue. Resistance, to be triumphant, demands a master-mind for its guidance. The leader of a combination against the formidable powers of any government, independently of the justice or moral strength of his cause, must be furnished with some high gifts of genius: it is not indispensable that he should be a person of education; but he must at least possess the moving force of intellect which can at will

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charges against officers, without well-grounded evidence of the facts, and the accused parties having a fair opportunity of defending themselves. Your Petitioner, having tried all other means of obtaining a full and fair investigation of his conduct, and of having justice done him, humbly, but most earnestly, implores that his case may be examined before a Committee of your honourable House.

And your Petitioner will ever pray. ROWLAND MILNER.

Stepney, 14*th February*, 1839.

put forth that mysterious and inexplicable influence over the passions and wills of his followers, which moulds into a resistless mass the chaos of conflicting parties, and embodies and gives one common force and aim to a thousand jarring elements; and while it infuses confidence, unity of purpose, and a fierce energy, suitable to every emergency, must add to the physical power of the multitude that gigantic conception which overmatches all inferior spirits by its own internal evidence of superior greatness. The elements of Parker's character fell far short of these requisite qualities. His abilities were of the most mediocre if not meagre order, and wholly unequal to his position; moreover, he seems to have possessed ambition of no higher order than that of standing at the head of a daring mob, over whom his only influence was acquired by vaunting declamation and frequent appeals to animal violence. He exhibited neither prudence to profit by any opportunity of retreat, nor courage to strike a decisive blow. It might at first be supposed that his more comprehensive and energetic views were thwarted by the other delegates with whom he was associated. But this could not have been the case: Parker's repeated reproach was, that the fierce spirits of the Inflexible's crew had been constantly urging the fleet on to the most desperate measures, which he, Parker, had done his utmost to moderate. This at once displays the weakness of Parker's folly. The minister, in his bigoted obstinacy, had left the leaders of the mutiny no *locus penitentiæ*. Their lives were sacrificed at all events; no farther criminality could have more endangered them after Pitt's declaratory statutes. The prime minister

had drawn the sword, and the delegates should from this have learnt they had no hope but in flinging away the scabbard. Their position had been rendered desperate by their oppressor, and nothing but the most fearless stroke of desperate policy could have saved them. For this Parker, at least, possessed neither heart nor soul; nor can we grant him the praise of acting timidly from amiable motives of humanity or religion. His conduct when the Monmouth and Director opened their guns on the Repulse, deprives him at least of this excuse, though great confusion as to the exact part he took certainly arose on the trial. Be that as it may, the fleet at the Nore were by that firing as completely dyed in the blood of their fellow-creatures, as if the utmost vehemence of the Inflexible's delegates had been followed, under the more intelligible motive of rescuing themselves from the desperate alternative that the minister had thrust upon them of being tamely slaughtered, with a hypocritical show of justice, at the yardarm, or opening their resistless batteries and desperate strength upon their comparatively helpless country. Even granting that the squadron under Sir Erasmus Gower was sufficiently strong to give battle to the mutineers, it must always be doubtful whether they would actually have bared their blades against the bosoms of their brother seamen when the fatal hour arrived. The doubt of their so doing, is almost heightened into a belief that they would not, by a most ominous statement made in the papers of the day, that a regiment ordered to serve the batteries with red-hot shot at Gravesend broke out into absolute mutiny themselves, on arriving at the station fixed for their fratricidal operations. But the fact is, the spirit

of disaffection which reigned throughout the fleet was of a different description from that which the baseless exaggeration of the ministers had painted. Never had there been the slightest pretext for the cry of jacobin incendiaries. The mutiny never had been more than a most reluctant outbreak under wrongs too grievous to be longer borne. In strict truth, amid all this brutal oppression, it was the inherent generosity of the seamen that alone saved the nation from civil war and revolution. Neither could they altogether forget the triumph with which the victories gained by their skill and courage had been trumpeted by fame through the land; they felt also that they were the right arm of the country, upon the strength and unimpaired energy of which her safety and her glory were suspended; loyalty had ever been their motto, and this chivalrous principle became an impediment in the path of their redress, so that no pressure of real grievances, however cruel, could entirely subvert their patriotism, nor shake that devoted attachment to the monarch which he so singularly repaid. Besides, the Mutiny at the Nore was the offspring of that at Spithead. The justice of their demands for reform had been admitted by a concession, the whole conduct of which was more than sufficient to have diffused throughout every mind a most thorough contempt for the mingled meanness, cowardice, and incapacity of the chief minister that controlled it; and if daily experience told them, by a sad and bitter iteration, that the surface alone of their wrongs was healed, they might have been pardoned for seeking a second time a more extensive remedy, which was calculated to reach the seat of the disease. But when, after

having made the attempt, they found themselves hurried onwards step by step, until confronted by the misdirected feeling of public indignation, and day by day receding from every chance of redress into the very jaws of destruction, no wonder that their eyes were opened to the imbecility of their leaders, while the customary habits of subordination, principles of allegiance to their country, and loyalty to their king, began once more to spring from the very despair they entertained of any better change. Thus the overwhelming materials of which the mutiny was composed, were disorganised and annihilated, not by the skill or justice brought to bear against it, but solely by the want of some directing power equal to guiding its resistless strength. On the other hand, how indefensible must that system have been, which by unprovoked hardships and tyranny could have reduced a service so noble in its attachments and fidelity, to a condition of disorder, insubordination, and rebellion! What a disgrace to the country at large, but most especially to its rulers, that its pride and safeguard should be exposed to the alternative of death or misery! That it may be seen how just were the complaints of the mutineers against the bloodthirsty system under which they groaned, insertion is here given to the Articles of War, against which they so vainly petitioned in 1797, and which, though framed in 1749, continue in force till this day, 1842.

An Act for amending, explaining, and reducing into one Act of Parliament the Laws relating to the Government of His Majesty's Ships, Vessels, and Forces by Sea.

WHEREAS the several laws relating to the sea service, made at different times, and on different occasions, have been found by experience not to

be so full, so clear, so expedient, or consistent with each other as they ought to be; for amending and explaining the said laws, and for reducing them into one uniform act of parliament, be it enacted by the king's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, an act passed in the thirteenth year of the reign of King Charles the Second, intituled "An Act for establishing Articles and Orders for the Regulating and better Government of his Majesty's Navies, Ships of War, and Forces by Sea;" and also so much of an act passed in the second year of the reign of King William and Queen Mary, intituled "An Act concerning the Commissioners of the Admiralty," as directs the form of an oath to be taken by every officer present upon all trials of offenders by courts-martial to be held by virtue of any commission to be granted by the lord high admiral, or the commissioners for executing the office of lord high admiral; and also so much of an act passed in the sixth year of the reign of King George the First, intituled "An Act for making perpetual so much of an Act made in the tenth year of the reign of Queen Anne, for the reviving and continuing several acts of parliament therein mentioned, as relates to the building and repairing County Gaols; and also an Act of the eleventh and twelfth years of the reign of King William the Third, for the more effectual Suppression of Piracy; and for making more effectual the Act of the thirteenth year of the reign of King Charles the Second, intituled 'An Act for esta-

blishing Articles and Orders for the Regulating and better Government of his Majesty's Navies, Ships of War, and Forces by Sea,'" as relates to the trial and punishment of persons who shall commit any of the crimes or offences mentioned in the said articles, upon the shore, in any foreign part or parts; and also so much of an act passed in the eighth year of the reign of King George the First, intituled "An Act for the more effectual Suppressing of Piracy," as directs the punishment to be inflicted by a court-martial upon any captain, commander, or other officer of any of his Majesty's ships or vessels of war, who shall receive on board, or permit to be received on board, any goods or merchandises whatsoever, in order to trade or merchandise with the same (except the goods and merchandises therein excepted); and also an act passed in the eighteenth year of the reign of his present Majesty, intituled "An Act for the Regulating and better Government of his Majesty's Navies, Ships of War, and Forces by Sea; and for regulating the proceedings upon Courts-martial in the Sea Service;" and also an act passed in the twenty-first year of the reign of his present Majesty, intituled "An Act for further Regulating the Proceedings upon Courts-martial in the Sea Service, and for extending the Discipline of the Navy to the Crews of his Majesty's Ships wrecked, lost, or taken, and for continuing to them their Wages upon certain conditions;" shall be and the same are hereby repealed to all intents and purposes whatsoever.

And for the regulating and better government of his Majesty's navies, ships of war, and forces by sea, whereon, under the good providence of God, the wealth, safety, and strength of this king-

dom chiefly depend; be it enacted, by the king's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, the articles and orders herein-after following, as well in time of peace as in time of war, shall be duly observed and put in execution, in manner herein-after mentioned.

I. All commanders, captains, and officers, in or belonging to any of his Majesty's ships or vessels of war, shall cause the public worship of Almighty God, according to the liturgy of the Church of England established by law, to be solemnly, orderly, and reverently performed in their respective ships; and shall take care that prayers and preaching, by the chaplains in holy orders of the respective ships, be performed diligently; and that the Lord's Day be observed according to law.

II. All flag officers, and all persons in or belonging to his Majesty's ships or vessels of war, being guilty of profane oaths, cursings, execrations, drunkenness, uncleanness, or other scandalous actions, in derogation of God's honour, and corruption of good manners, shall incur such punishment as a court-martial shall think fit to impose, and as the nature and degree of their offence shall deserve.

III. If any officer, mariner, soldier, or other person of the fleet, shall give, hold, or entertain intelligence to or with any enemy or rebel without leave from the King's majesty, or the lord high admiral, or the commissioners for executing the office of lord high admiral, commander in chief,

or his commanding officer, every such person so offending, and being thereof convicted by the sentence of a court-martial, shall be punished with death.

IV. If any letter or message from any enemy or rebel be conveyed to any officer, mariner, or soldier, or other in the fleet, and the said officer, mariner, soldier, or other as aforesaid, shall not within twelve hours, having opportunity so to do, acquaint his superior officer, or the officer commanding in chief, with it, or if any superior officer being acquainted therewith shall not in convenient time reveal the same to the commander in chief of the squadron, every such person so offending, and being convicted thereof by the sentence of the court-martial, shall be punished with death, or such other punishment as the nature and degree of the offence shall deserve and the court-martial shall impose.

V. All spies, and all persons whatsoever who shall come, or be found in the nature of spies, to bring or deliver any seducing letters or messages from any enemy or rebel, or endeavour to corrupt any captain, officer, mariner, or other in the fleet, to betray his trust, being convicted of any such offence by the sentence of the court-martial, shall be punished with death, or such other punishment as the nature and degree of the offence shall deserve, and the court-martial shall impose.

VI. No person in the fleet shall relieve an enemy or rebel with money, victuals, powder, shot, arms, ammunition, or any other supplies whatsoever, directly or indirectly, upon pain of death, or such other punishment as the court-martial shall think fit to impose, and as the nature and degree of the crime shall deserve.

VII. All the papers, charter-parties, bills of lading, passports, and other writings whatsoever, that shall be taken, seized, or found aboard any ship or ships which shall be surprised or taken as prize, shall be duly preserved, and the very originals shall, by the commanding officer of the ship which shall take such prize, be sent entirely, and without fraud, to the Court of Admiralty, or such other court or commissioners as shall be authorised to determine whether such prize be lawful capture, there to be viewed, made use of, and proceeded upon according to law; upon pain that every person offending herein shall forfeit and lose his share of the capture, and shall suffer such further punishment as the nature and degree of his offence shall be found to deserve, and the court-martial shall impose.

VIII. No person in or belonging to the fleet shall take out of any prize, or ship seized for prize, any money, plate, or goods, unless it shall be necessary for the better securing thereof, or for the necessary use and service of any of his Majesty's ships or vessels of war, before the same be adjudged lawful prize in some admiralty court; but the full and entire account of the whole, without embezzlement, shall be brought in, and judgment passed entirely upon the whole, without fraud, upon pain that every person offending herein shall forfeit and lose his share of the capture, and suffer such further punishment as shall be imposed by a court-martial, or such court of admiralty, according to the nature and degree of the offence.

IX. If any ship or vessel shall be taken as prize, none of the officers, mariners, or other per-

sons on board her, shall be stripped of their clothes, or in any sort pillaged, beaten, or evil-intreated, upon pain that the person or persons so offending shall be liable to such punishment as a court-martial shall think fit to inflict.

x. Every flag-officer, captain, and commander in the fleet, who, upon signal or order of fight, or sight of any ship or ships which it may be his duty to engage, or who, upon likelihood of engagement, shall not make the necessary preparations for fight, and shall not in his own person, and according to his place, encourage the inferior officers and men to fight courageously, shall suffer death, or such other punishment as from the nature and degree of the offence a court-martial shall deem him to deserve; and if any person in the fleet shall treacherously or cowardly yield or cry for quarter, every person so offending, and being convicted thereof by the sentence of a court-martial, shall suffer death.

XI. Every person in the fleet who shall not duly observe the orders of the admiral, flag-officer, commander of any squadron or division, or other his superior officer, for assailing, joining battle with or making defence against any fleet, squadron, or ship; or shall not obey the orders of his superior officer as aforesaid in time of action, to the best of his power; or shall not use all possible endeavours to put the same effectually in execution; every such person so offending, and being convicted thereof by the sentence of the court-martial, shall suffer death, or such other punishment as from the nature and degree of the offence a court-martial shall deem him to deserve.

XII. Every person in the fleet who, through

cowardice, negligence, or disaffection, shall in time of action withdraw or keep back, or not come into the fight or engagement; or shall not do his utmost to take or destroy every ship which it shall be his duty to engage; and to assist and relieve all and every of his Majesty's ships, or those of his allies, which it shall be his duty to assist and relieve; every such person so offending, and being convicted thereof by the sentence of a court-martial, shall suffer death.

XIII. Every person in the fleet, who, through cowardice, negligence, or disaffection, shall forbear to pursue the chase of any enemy, pirate, or rebel, beaten or flying; or shall not relieve and assist a known friend in view to the utmost of his power; being convicted of any such offence by the sentence of a court-martial, shall suffer death.

XIV. If, when action, or any service shall be commanded, any person in the fleet shall presume to delay or discourage the said action or service, upon pretence of arrears of wages, or upon any pretence whatsoever; every person so offending, being convicted thereof by the sentence of the court-martial, shall suffer death, or such other punishment as from the nature and degree of the offence a court-martial shall deem him to deserve.

XV. Every person in or belonging to the fleet, who shall desert to the enemy, pirate, or rebel, or run away with any of his Majesty's ships or vessels of war, or any ordnance, ammunition, stores, or provision belonging thereto, to the weakening of the service, or yield up the same cowardly or treacherously to the enemy, pirate or rebel, being convicted of any such offence by the sentence of the court-martial, shall suffer death.

XVI. Every person in or belonging to the fleet, who shall desert, or entice others so to do, shall suffer death, or such other punishment as the circumstances of the offence shall deserve, and a court-martial shall judge fit: And if any commanding officer of any of his Majesty's ships or vessels of war shall receive or entertain a deserter from any other of his Majesty's ships or vessels, after discovering him to be such deserter, and shall not with all convenient speed give notice to the captain of the ship or vessel to which such deserters belongs, or, if the said ship or vessels are at any considerable distance from each other, to the secretary of the admiralty, or to the commander-in-chief, every person so offending, and being convicted thereof by the sentence of the court-martial, shall be cashiered.

XVII. The officers and seamen of all ships appointed for convoy and guard of merchant ships, or of any other, shall diligently attend upon that charge, without delay, according to their instructions in that behalf; and whosoever shall be faulty therein, and shall not faithfully perform their duty, and defend the ship and goods in their convoy, without either diverting to other parts or occasions, or refusing or neglecting to fight in their defence, if they be assailed, or running away cowardly, and submitting the ships in their convoy to peril and hazard; or shall demand or exact any money or other reward from any merchant or master for convoying of any ships or vessels entrusted to their care, or shall misuse the masters or mariners thereof, shall be condemned to make reparation of the damage to the merchants, owners, and others, as the Court of

Admiralty shall adjudge; and also be punished criminally according to the quality of their offences, be it by pains of death, or other punishment, according as shall be adjudged fit by the court-martial.

XVIII. If any captain, commander, or other officer of any of his Majesty's ships or vessels, shall receive on board, or permit to be received on board such ship or vessel, any goods or merchandizes whatsoever, other than for the sole use of the ship or vessel, except gold, silver, or jewels, and except the goods and merchandizes belonging to any merchant or other ship or vessel which may be shipwrecked, or in imminent danger of being shipwrecked, either on the high seas, or in any port, creek, or harbour, in order to the preserving them for their proper owners, and except such goods or merchandizes as he shall at any time be ordered to take or receive on board by order of the lord high admiral of Great Britain, or the commissioners for executing the office of lord high admiral for the time being; every person so offending, being convicted thereof by the sentence of the court-martial, shall be cashiered, and be for ever afterwards rendered incapable to serve in any place or office in the naval service of his Majesty, his heirs and successors.

XIX. If any person in or belonging to the fleet shall make, or endeavour to make, any mutinous assembly upon any pretence whatsoever, every person offending herein, and being convicted thereof by the sentence of the court-martial, shall suffer death: and if any person in or belonging to the fleet shall utter any words of sedition or mutiny, he shall suffer death, or such other

punishment as a court-martial shall deem him to deserve: and if any officer, mariner, or soldier, in or belonging to the fleet, shall behave himself with contempt to his superior officer, such superior officer being in the execution of his office, he shall be punished according to the nature of his offence by the judgment of a court-martial.

XX. If any person in the fleet shall conceal any traitorous or mutinous practice or design, being convicted thereof by the sentence of a court-martial, he shall suffer death, or such other punishment as a court-martial shall think fit; and if any person in or belonging to the fleet shall conceal any traitorous or mutinous words spoken by any, to the prejudice of his Majesty or government, or any words, practice, or design tending to the hindrance of the service, and shall not forthwith reveal the same to the commanding officer, or being present at any mutiny or sedition shall not use his utmost endeavours to suppress the same, he shall be punished as a court-martial shall think he deserves.

XXI. If any person in the fleet shall find cause of complaint of the unwholesomeness of the victual, or upon other just ground, he shall quietly make the same known to his superior, or captain, or commander-in-chief, as the occasion may deserve, that such present remedy may be had as the matter may require; and the said superior, captain, or commander-in-chief shall, as far as he is able, cause the same to be presently remedied; and no person in the fleet, upon any such or other pretence, shall attempt to stir up any disturbance, upon pain of such punishment as a court-martial shall think fit to inflict, according to the degree of the offence.

XXII. If any officer, mariner, soldier, or other person in the fleet, shall strike any of his superior officers, or draw or offer to draw or lift up any weapon against him, being in the execution of his office, on any pretence whatsoever, every such person, being convicted of any such offence by the sentence of a court-martial, shall suffer death; and if any officer, mariner, soldier, or other person in the fleet shall presume to quarrel with any of his superior officers, being in the execution of his office, or shall disobey any lawful command of any of his superior officers; every such person, being convicted of any such offence by the sentence of a court-martial, shall suffer death, or such other punishment as shall, according to the nature and degree of his offence, be inflicted upon him by the sentence of a court-martial.

XXIII. If any person in the fleet shall quarrel or fight with any other person in the fleet, or use reproachful or provoking speeches or gestures, tending to make any quarrel or disturbance, he shall, upon being convicted thereof, suffer such punishment as the offence shall deserve, and a court-martial shall impose.

XXIV. There shall be no wasteful expense of any powder, shot, ammunition, or other stores in the fleet, nor any embezzlement thereof; but the stores and provisions shall be carefully preserved, upon pain of such punishment to be inflicted upon the offenders, abettors, buyers, and receivers, (being persons subject to naval discipline,) as shall be by a court-martial found just in that behalf.

XXV. Every person in the fleet who shall unlawfully burn or set fire to any magazine or

store of powder, or ship, boat, ketch, hoy, or vessel, or tackle or furniture thereunto belonging, not then appertaining to an enemy, pirate, or rebel, being convicted of any such offence by the sentence of a court-martial, shall suffer death.

XXVI. Care shall be taken in the conducting and steering of any of his Majesty's ships, that through wilfulness, negligence, or other defaults no ship be stranded or run upon any rocks or sands, or split or hazarded, upon pain that such as shall be found guilty therein, be punished by death, or such other punishment as the offence, by a court-martial, shall be judged to deserve.

XXVII. No person in or belonging to the fleet shall sleep upon his watch, or negligently perform the duty imposed on him, or forsake his station, upon pain of death, or such other punishment as a court-martial shall think fit to impose, and as the circumstances of the case shall require.

XXVIII. All murders committed by any person in the fleet shall be punished with death by the sentence of a court-martial.

XXIX. If any person in the fleet shall commit the unnatural and detestable sin of buggery or sodomy with man or beast, he shall be punished with death by the sentence of a court-martial.

XXX. All robbery committed by any person in the fleet shall be punished with death, or otherwise, as a court-martial, upon consideration of circumstances, shall find meet.

XXXI. Every officer, or other person in the fleet, who shall knowingly make or sign a false muster or muster-book, or who shall command, counsel, or procure the making or signing thereof, or who shall aid or abet any other person in the

making or signing thereof, shall, upon proof of any such offence being made before a court-martial, be cashiered, and rendered incapable of further employment in his Majesty's naval service.

XXXII. No provost marshal belonging to the fleet shall refuse to apprehend any criminal whom he shall be authorized by legal warrant to apprehend, or to receive or keep any prisoner committed to his charge, or wilfully suffer him to escape being once in his custody, or dismiss him without lawful order, upon pain of such punishment as a court-martial shall deem him to deserve; and all captains, officers, and others in the fleet shall do their endeavour to detect, apprehend, and bring to punishment all offenders, and shall assist the officers appointed for that purpose therein, upon pain of being proceeded against, and punished by a court-martial, according to the nature and degree of the offence.

XXXIII. If any flag officer, captain, or commander, or lieutenant belonging to the fleet, shall be convicted before a court-martial of behaving in a scandalous, infamous, cruel, oppressive, or fraudulent manner, unbecoming the character of an officer, he shall be dismissed from his Majesty's service.

XXXIV. Every person being in actual service and full pay, and part of the crew in or belonging to any of his Majesty's ships or vessels of war, who shall be guilty of mutiny, desertion, or disobedience to any lawful command, in any part of his Majesty's dominions on shore, when in actual service relative to the fleet, shall be liable to be tried by a court-martial, and suffer the like punishment for every such offence, as if the same had been committed at

sea on board any of his Majesty's ships or vessels of war.

XXXV. If any person, who shall be in actual service and full pay in his Majesty's ships and vessels of war, shall commit upon the shore, in any place or places out of his Majesty's dominions, any of the crimes punishable by these articles and orders, the persons so offending shall be liable to be tried and punished for the same, in like manner, to all intents and purposes, as if the said crimes had been committed at sea, on board any of his Majesty's ships or vessels of war.

XXXVI. All other crimes not capital, committed by any person or persons in the fleet, which are not mentioned in this act, or for which no punishment is hereby directed to be inflicted, shall be punished according to the laws and customs in such cases used at sea.

Provided always, that no person convicted of any offence shall, by the sentence of any court-martial to be held by virtue of this act, be adjudged to be imprisoned for a longer term than the space of two years.

Provided always that nothing in this act contained shall extend, or be construed to extend to, empower any court-martial to be constituted by virtue of this act to proceed to the punishment or trial of any of the offences specified in the several articles contained in this act, or of any offence whatsoever (other than the offences specified in the fifth, thirty-fourth, and thirty-fifth of the foregoing articles and orders) which shall not be committed upon the main sea, or in great rivers only, beneath the bridges of the said rivers nigh to the sea, or in any haven, river, or creek within the jurisdiction

of the Admiralty, and which shall not be committed by such persons as at the time of the offence committed shall be in actual service and full pay in the fleet or ships of war of his Majesty, his heirs or successors, such persons only excepted, and for such offences only, as are described in the fifth of the foregoing articles and orders.

Provided also, that nothing in this act contained shall extend, or be construed to extend, to empower any court-martial to be constituted by virtue of this act to proceed to the punishment or trial of any land officer or soldier on board any transport ship for any of the offences specified in the several articles contained in this act.

And it is hereby further enacted, that, from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, the lord high admiral of Great Britain, or the commissioners for executing the office of lord high admiral of Great Britain for the time being, shall have full power and authority to grant commissions to any officer commanding in chief any fleet or squadron of ships of war, to call and assemble courts-martial, consisting of commanders and captains; and that in case any officer commanding in chief any fleet or squadron of ships of war (who shall be authorized by the lord high admiral, or the commissioners for executing the office of lord high admiral for the time being, to call and assemble courts-martial in foreign parts), shall happen to die, or be recalled, or removed from his command, then the officer upon whom the command of the said fleet or squadron shall devolve, and so from time to time the officer who shall have the command of the said fleet or squadron, shall have the same power to

call and assemble courts-martial, as the first commander in chief of the said fleet or squadron was invested with.

Provided always, and it is hereby enacted and declared, that no commander-in-chief of any fleet or squadron of his Majesty's ships, or detachment thereof, consisting of more than five ships, shall preside at any court-martial in foreign parts, but that the officer next in command to such officer commanding-in-chief shall hold such court-martial, and preside thereat; any law, custom, or usage to the contrary, notwithstanding.

And it is hereby further enacted, that, from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, in case any commander-in-chief of any fleet or squadron of his Majesty's ships or vessels of war in foreign parts shall detach any part of such fleet or squadron, every commander-in-chief shall, and he is hereby authorized and required, by writing under his hand, to empower the chief commander of the squadron or detachment so ordered on such separate service (and in case of his death or removal, the officer to whom the command of such separate squadron or detachment shall belong) to hold courts-martial, during the time of such separate service, or until the commander of the said detachment for the time being shall return to his commander-in-chief, or shall come under the command of any other his superior officer, or return to Great Britain or Ireland.

Provided always, and it is hereby further enacted, that if any five or more of his Majesty's ships or vessels of war shall happen to meet together in foreign parts, then and in such case it shall be law-

ful for the senior officer of the said ships or vessels to hold courts-martial, and preside thereat, from time to time as there shall be occasion, during so long time as the said ships or vessels of war, or any five or more of them, shall continue together.

Provided nevertheless, and be it also enacted, that where any material objection occurs, which may render it improper for the person who is next in command to the senior officer or commander-in-chief of any fleet or squadron of his Majesty's ships of war in foreign parts to hold courts-martial, or preside thereat, in such case it shall be lawful for the lord high admiral, or commissioners for executing the office of lord high admiral for the time being, as also the commander-in-chief of any such fleet or squadron of his Majesty's ships in foreign parts respectively, to appoint the third officer in command to preside at or hold such court-martial.

And it is hereby further enacted, that, from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, it shall be lawful for the lord high admiral of Great Britain, or the commissioners for executing the office of lord high admiral for the time being, and they are hereby respectively authorized, from time to time, as there shall be occasion, to direct any flag officer, or captain of any of his Majesty's ships of war, who shall be in any port of Great Britain or Ireland, to hold courts-martial in any such port, provided such flag officer or captain be the first, second, or third in command in such port, as shall be found most expedient and for the good of his Majesty's service; and such flag officer or captain, so directed to hold courts-martial, shall preside at such court-

martial; anything herein contained to the contrary notwithstanding.

And it is hereby further enacted, that, from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, no court-martial, to be held or appointed by virtue of this present act, shall consist of more than thirteen or of less than five persons, to be composed of such flag officers, captains, or commanders then and there present, as are next in seniority to the officer who presides at the court-martial.

Provided always, and be it enacted by the authority aforesaid, that nothing herein contained shall extend, or be construed to extend, to authorise or empower the lord high admiral, or the commissioners for executing the office of lord high admiral, or any officer empowered to order or hold courts-martial, to direct or ascertain the particular number of persons of which any court-martial, to be held or appointed by virtue of this present act, shall consist.

Provided always, and it is hereby enacted and declared, that in case any court-martial shall, by virtue of this act, be appointed to be held at any place where there are not less than three nor yet so many as five officers of the degree and denomination of a post captain, or of a superior rank, to be found, then it shall be lawful for the officer, at the place appointed for holding such court-martial, who is to preside at the same, to call to his assistance as many of the commanders of his Majesty's vessels, under the rank and degree of a post captain, as, together with the post captains then and there present, will make up the number of five, to hold such court-martial.

And it is hereby further enacted, that, from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, no member of any court-martial, after the trial is begun, shall go on shore till sentence be given, but remain on board the ship in which the court shall first assemble, except in case of sickness, to be judged of by the court, upon pain of being cashiered from his Majesty's service; nor shall the proceedings of the said court be delayed by the absence of any of its members, provided a sufficient number doth remain to compose the said court, which shall and is hereby required to sit from day to day (Sunday always excepted) until the sentence be given.

And it is hereby further enacted, that from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, upon all trials of offenders by any court-martial, all the officers present, who are to constitute the said court-martial, shall, before they proceed to such trial, take such oath as is hereinafter mentioned, upon the Holy Evangelists, before the court; which oath the judge advocate, or his deputy, or the person appointed to officiate as such, is hereby authorised and required to administer in the words following; (that is to say):

"I, *A. B.*, do swear, that I will duly administer justice, according to the articles and orders established by an act passed in the twenty-second year of the reign of his Majesty king George the Second, for amending, explaining, and reducing into one act of parliament the laws relating to the government of his Majesty's ships, vessels, and forces by sea, without partiality, favour, or affection; and if any case shall arise, which is not

particularly mentioned in the said articles and orders, I will duly administer justice according to my conscience, the best of my understanding, and the custom of the navy in the like cases; and I do further swear, that I will not upon any account, at any time whatsoever, disclose or discover the vote or opinion of any particular member of this court-martial, unless thereunto required by act of parliament. So help me God."

And so soon as the said oath shall have been administered to the respective members, the president of the court is hereby authorised and required to administer to the judge advocate, or the person officiating as such, an oath in the following words:

"I, *A. B.*, do swear, that I will not, upon any account, at any time whatsoever, disclose or discover the vote or opinion of any particular member of this court-martial, unless thereunto required by act of parliament. So help me God."

And it is hereby further enacted, that from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, in case any person in the fleet, being called upon to give evidence at any court-martial, shall refuse to give his evidence upon oath, or shall prevaricate in his evidence, or behave with contempt to the court, it shall and may be lawful for such court-martial to punish every such offender by imprisonment, at the discretion of the court, such imprisonment not to continue longer than three months in case of such refusal or prevarication, nor longer than one month in the case of such contempt; and that all and every person and persons who shall commit any wilful perjury, in any evidence or examination, upon oath, at any such court-martial, or

who shall corruptly procure or suborn any person to commit such wilful perjury, shall and may be prosecuted in his Majesty's Court of King's Bench by indictment or information; and every issue joined in any such indictment or information shall be tried by good and lawful men of the county of Middlesex, or such other county as the said Court of King's Bench shall direct; and all and every person and persons, being lawfully convicted upon any such indictment or information, shall be punished with such pains and penalties as are inflicted for the like offences respectively by two acts of parliament, the one made in the fifth year of the reign of queen Elizabeth, intituled "An Act for Punishment of such Persons as shall procure or commit any wilful Perjury;" and the other made in the second year of the reign of his present majesty, intituled "An Act for the more effectual preventing and further Punishment of Forgery, Perjury, and Subornation of Perjury; and to make it Felony to steal Bonds, Notes, or other Securities for Payment of Money."

And be it further enacted by the authority aforesaid, that in every information or indictment to be prosecuted by virtue of this act for any such offence, it shall be sufficient to set forth the offence charged upon the defendant, without setting forth the commission or authority for holding the court-martial, and without setting forth the particular matter tried or to be tried, or directed or intended to be tried, before such court.

And it is hereby further enacted, that from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, no sentence of death given by any court-martial held within the

narrow seas (except in cases of mutiny) shall be put in execution till after the report of the proceedings of the said court shall have been made to the lord high admiral, or the commissioners for executing the office of lord high admiral, and his or their directions shall have been given therein; and if the said court shall have been held beyond the narrow seas, then such sentence of death shall not be carried into execution but by order of the commander of the fleet or squadron wherein sentence was passed; and in cases where sentence of death shall be passed in any squadron detached from any other fleet or squadron upon a separate service, then such sentence of death (except in cases of mutiny) shall not be put in execution but by order of the commander of the fleet or squadron from which such detachment shall have been made, or of the lord high admiral, or commissioners for executing the office of lord high admiral; and in cases where sentence of death shall be passed in any court-martial held by the senior officer of five or more of his Majesty's ships which shall happen to meet together in foreign parts pursuant to the power hereinbefore given, then such sentence of death (except in cases of mutiny) shall not be carried into execution but by order of the lord high admiral, or commissioners for executing the office of lord high admiral.

And be it further enacted and declared, that, from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, the judge-advocate of any fleet for the time being, or his deputy, shall have full power and authority, and is hereby required to administer an oath to any witness at any trial by court-martial: and in

the absence of the judge advocate and his deputy, the court-martial shall have full power and authority to appoint any person to execute the office of judge advocate.

And be it further enacted by the authority aforesaid, that from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, all the powers given by the several articles and orders established by this act shall remain and be in full force with respect to the crews of such of his Majesty's ships as shall be wrecked, or be otherwise lost or destroyed; and all the command, power, and authority given to the officers of the said ship or ships shall remain and be in full force as effectually as if such ship or ships to which they did belong were not so wrecked, lost, or destroyed, until they shall be regularly discharged from his Majesty's further service, or removed into some other of his Majesty's ships of war, or until a court-martial shall be held, pursuant to the custom of the navy in such cases, to inquire into the causes of the loss of the said ship or ships: and if upon such inquiry it shall appear, by the sentence of the court-martial, that all or any of the officers or seamen of the said ship or ships did their utmost to preserve, get off, or recover the said ship or ships, and since the loss thereof have behaved themselves obedient to their superior officers, according to the discipline of the navy, and the said articles and orders hereinbefore established, then all the pay and wages of the said officers and seamen, or of such of them as shall have done their duty as aforesaid, shall continue and go on and be paid to the time of their discharge or death; or if they shall be then alive,

to the time of the holding of such court-martial, or removal into some other of his Majesty's ships of war; and every such officer and seaman of any of his Majesty's ships of war, who, after the wreck or loss of his ship, shall act contrary to the discipline of the navy, and the several articles and orders hereinbefore established, or any of them, shall be sentenced by the said court-martial, and punished, as if the ship to which he did belong was not so wrecked, lost, or destroyed.

And be it further enacted, that from and after the said twenty-fifth day of December, one thousand seven hundred and forty-nine, all the pay and wages of such officers and seamen of any of his Majesty's ships as are taken by the enemy, and upon inquiry at a court-martial shall appear by the sentence of the said court to have done their utmost to defend the said ship or ships, and since the taking thereof to have behaved themselves obediently to their superior officers, according to the discipline of the navy, and the said articles and orders hereinbefore established, shall continue and go on and be paid from the time of their being so taken to the time of the holding of such court-martial, or until they shall be regularly discharged from his Majesty's service, or removed into some other of his Majesty's ships of war, or (if they shall die in captivity, or not live to the time of the holding of such court-martial) to the time of their death, in such manner, and not otherwise, as if the said ship or ships to which they did belong respectively was not or were not so taken.

Provided always, and be it further enacted, that no person or persons, not flying from justice,

shall be tried or punished by any court-martial for any offence to be committed against this act, unless the complaint of such offence be made in writing to the Lord High Admiral, or to the commissioners for executing the office of lord high admiral for the time being, or any commander-in-chief of his Majesty's squadrons of ships empowered to hold courts-martial, or unless a court-martial to try such offender shall be ordered by the said lord high admiral or the said commissioners, or the said commander-in-chief, either within three years after such offence shall be committed, or within one year after the return of the ship or of the squadron to which such offender shall belong into any of the ports of Great Britain or Ireland, or within one year after the return of such offender into Great Britain or Ireland.

And whereas by the said act, intituled "An Act for the more effectual suppressing of Piracy," it is amongst other things enacted in the following words, that the said captain, commander, or other officer of the said ship or vessel of war, and all and every the owners and proprietors of such goods and merchandizes put on board such ship or vessel of war as aforesaid, shall lose, forfeit, and pay the value of all and every such goods and merchandizes so put on board as aforesaid; one moiety of such full value to such person or persons as shall make the first discovery, and give information of or concerning the said offence; the other moiety of such full value to and for the use of Greenwich Hospital; all which forfeitures shall and may be sued for and recovered in the High Court of Admiralty: now, for making the said in part recited act more useful and effectual, be it enacted by the authority afore-

said, that from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, if any captain, commander, or other officer of any of his Majesty's ships or vessels, shall receive on board, or permit or suffer to be received on board such ship or vessel, any goods or merchandizes, contrary to the true intent and meaning of the eighteenth article in this act before mentioned and hereby enacted, every such captain, commander, or other officer shall, for every such offence, over and above any punishment inflicted by this act, forfeit and pay the value of all and every such goods and merchandizes so received or permitted or suffered to be received on board as aforesaid, or the sum of five hundred pounds of lawful money of Great Britain, at the election of the informer or person who shall sue for the same, so that no more than one of these penalties or forfeitures shall be sued for and recovered by virtue of this and the said in part recited act, or either of them, against the same person for one and the same offence; one moiety of which penalties or forfeitures shall be forfeited and paid to the person who shall inform or sue for the same, and the other moiety thereof to and for the use of the Royal Hospital at Greenwich; which forfeiture shall be sued for and recovered by action of debt, bill, plaint, or information, in any of his Majesty's Courts of Record at Westminster, or in the High Court of Admiralty, at the election of the informer or person who shall sue for the same; and the court shall award such costs to the parties as shall be just; and in all cases where judgment or sentence shall be given against any such offender, the court where such judgment or sentence shall be given shall, with all convenient speed, certify

the same to the lord high admiral, or to the commissioners for executing the said office.

Provided always, that nothing in this act contained shall extend or be construed to extend to take away from the lord high admiral of Great Britain, or the commissioners for executing the office of lord high admiral of Great Britain, or any vice-admiral, or any judge or judges of the Admiralty, or his or their deputy or deputies, or any other officers or ministers of the Admiralty, or any others having or claiming any admiral power, jurisdiction, or authority within this realm, or any other the king's dominions, or from any person or court whatsoever, any power, right, jurisdiction, pre-eminence, or authority which he or they or any of them lawfully hath, have, or had, or ought to have or enjoy, before the making of this act, so as the same person shall not be punished twice for the same offence.

Provided nevertheless, and be it enacted, that the repeal of the said before-recited statutes, or any part thereof, or anything herein contained, shall not extend or be deemed to extend to discharge or avoid or prevent any prosecution or suit commenced, or at any time hereafter to be commenced, against any person or persons, for any offence committed on or before the said twenty-fifth day of December, one thousand seven hundred and forty-nine, or to be committed against the said statutes, or any part or parts thereof; but that all persons who have been, or shall, before the said twenty-fifth day of December, be guilty of any such offence, shall and may be prosecuted, sued, condemned, and punished for the same, as well after as before the said twenty-fifth day of December, as if the statutes had not been repealed.

An Act to explain and amend an Act made in the twenty-second year of the reign of his late Majesty King George the Second, intituled an Act for amending, explaining, and reducing into one Act of Parliament the Laws relating to the Government of his Majesty's Ships, Vessels, and Forces by Sea.

Whereas by an Act made in the twenty-second year of the reign of his late Majesty King George the Second, intituled, "An Act for amending, explaining, and reducing into one Act of Parliament the Laws relating to the Government of his Majesty's Ships, Vessels, and Forces by Sea," it is among other things enacted, that from and after the twenty-fifth day of December, one thousand seven hundred and forty-nine, no member of any court-martial, after the trial is begun, shall go on shore till sentence be given, but remain on board the ship in which the court shall first assemble, except in case of sickness, to be judged of by the court, upon pain of being cashiered from his Majesty's service: nor shall the proceedings of the said court be delayed by the absence of any of its members, provided a sufficient number doth remain to compose the said court, which shall and is hereby required to sit from day to day (Sunday always excepted) until the sentence be given: and whereas it hath been found by experience, that the confining members of courts-martial to the ship in which such courts-martial shall first assemble, until sentence be given, hath been attended with great inconveniences and prejudice to the healths of officers summoned to attend as members of courts-martial; and it is highly necessary and expedient that such inconveniences should be prevented in future. May it therefore please your Majesty that it may be

enacted, and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that so much and such part of the said recited act as directs that no member of any court-martial, after the trial is begun, shall go on shore till sentence be given, but remain on board the ship in which the court shall first assemble, except in case of sickness, to be judged of by the court, upon pain of being cashiered from his Majesty's service, and that the proceedings of the said court shall not be delayed by the absence of any of its members, provided a sufficient number doth remain to compose the said court, which is thereby required to sit from day to day (Sunday always excepted) until the sentence be given, shall be and the same is hereby repealed and made void, to all intents and purposes whatsoever.

Provided always, and be it enacted, that the proceedings of any court-martial shall not be delayed by the absence of any of its members, provided a sufficient number doth remain to compose such court, which shall and is hereby required to sit from day to day (Sunday always excepted) until the sentence be given; anything hereinbefore contained to the contrary thereof in anywise notwithstanding: and no member of the said court-martial shall absent himself from the said court during the whole course of the trial, upon pain of being cashiered from his Majesty's service, except in case of sickness, or other extraordinary and indispensable occasion, to be judged of by the said court.

And whereas, by two clauses in the said act, passed in the twenty-second year of the reign of his late Majesty, King George the Second, it is enacted and declared, that every person in the fleet, who, through cowardice, negligence, or disaffection, shall, in time of action, withdraw or keep back or not come into the fight or engagement, or shall not do his utmost to take or destroy every ship which it shall be his duty to engage, and to assist and relieve all and every of his Majesty's ships, or those of his allies, which it shall be his duty to assist and relieve, and being convicted thereof by the sentence of a court-martial, shall suffer death; and also that every person in the fleet, who, through cowardice, negligence, or disaffection, shall forbear to pursue the chase of any enemy, pirate or rebel, beaten or flying, or shall not relieve or assist a known friend in view, to the utmost of his power, and being convicted of any such offence by the sentence of a court-martial shall suffer death: and whereas the restraining of the power of the court-martial to the inflicting of the punishment of death, in the several cases recited in the said clauses, may be attended with great hardship and inconvenience; be it enacted, that from and after the passing of this act it shall and may be lawful, in the several cases recited in the said clauses, for the court-martial to pronounce sentence of death, or to inflict such other punishment as the nature and degree of the offence shall be found to deserve.

CHAPTER XI.

On the 27th of June, Earl Spencer conveyed to the king for approbation the finding and the sentence of the court-martial on Parker. His Majesty having confirmed the proceedings of the court, a cabinet council was held to fix the time and place of execution. By this council Parker was ordered to be executed upon Friday, the 30th of June, on board the Sandwich, which had been the theatre of his miserable triumph, and still more miserable defeat. Having availed himself of the services of a clergyman, to prepare for the doom which awaited him, he displayed every symptom of devotion and penitence. His conduct after his sentence was rational and religious, without ostentation or that sublimated ecstasy which has been often disgracefully palmed upon the public, for the purpose of exalting the most abandoned criminals into the position of saint-like Christians. He now wrote a letter to his wife, wherein he first mentioned his unhappy fate, of which he supposed she must have heard, before she could receive that last token of his affectionate regard. He then declared his resolution to meet death with resignation and penitence, and with a firm belief in the Christian religion. On Friday morning, at eight o'clock, a gun was fired from his Majesty's ship L'Espion,

bearing the flag of Vice-Admiral Lutwidge, and which lay off the garrison, when the yellow flag, the signal of capital punishment, was immediately hoisted, and repeated by the Sandwich, then stationed at the head of the fleet, rather above Blackstakes. The troops in garrison, consisting of the East and West York Militia, together with the West Norfolk, a corps of invalids, and a train of artillery, proceeded in single files along the south shore of the Medway, near to Queenborough. Each ship in the fleet sent to the Sandwich a boat with a lieutenant, and a party of marines, to attend the execution. The crews of the surrounding fleet were passed to the forecastles of their respective ships, and the marines drawn up on the quarterdecks, to be witnesses of the death of their late leader.

The prisoner was awakened a little after six o'clock out of a sound sleep by the provost-marshal. He requested permission for a barber to attend him; and this being granted, he proceeded to dress himself in a suit of mourning. After breakfast, he talked of a will he had made, in which he had bequeathed to his wife his hereditary interest in a small estate. He lamented in feeling terms the calamity he had inflicted upo the country by fomenting the mutiny, but solemnly denied having the least connexion or correspondence with any disaffected persons on shore, and declared that it was chiefly owing to his influence that the ships had not been carried into the enemy's ports.

At half-past eight he was informed that the chaplain of the Sandwich was ready to attend him at prayers upon the quarterdeck, to which he

immediately ascended. The chaplain here met and told him, he had selected two psalms appropriate to his situation; to which the prisoner assented, saying—"And with your permission, sir, I will add a third," naming the fifty-first: of these confessional and penitential psalms of David he recited the alternate verses in an impressive manner. At nine o'clock was fired the preparatory gun, which he heard without the smallest emotion. Prayers being ended, he rose from his knees, and asked Captain Moss if he might be indulged with a glass of wine. When this was brought, he took it, and lifting up his eyes, exclaimed,—"I drink first to the salvation of my soul; and next to the forgiveness of all my enemies." Addressing himself to Captain Moss, he said he "hoped that he would shake hands with him;" which the captain did. He then desired that "he might be remembered to his companions who were awaiting their trial in custody on board the Neptune, with his last dying entreaty to them, to prepare for their fate, and to refrain from unbecoming levity."

His arms being now bound, the deadly procession moved from the quarterdeck to the forecastle, through a double file of marines on the starboard side, towards a platform erected on the cat-head, with an elevated projection. Upon his arrival here, he joined the chaplain in acts of devotion, repeating loudly at the close of each, "Amen." The admiral's warrant of execution was next read by the clerk: to this the prisoner paid a marked attention, bowing when it was finished. Parker then asked the captain, whether he might be allowed to speak; and immediately apprehending that his intention might be misconceived, added—"I am

not going, sir, to address the ship's company: I wish only to declare, that I acknowledge the justice of the sentence under which I suffer; and I hope my death may be considered a sufficient atonement, without involving the fate of others." He then requested a "minute to collect himself," and knelt down alone for about that space of time. On rising up, he said—"I am ready," and desired the boatswain's mate to take off his handkerchief.

The provost marshal next placed the halter over the prisoner's head in rather an awkward manner, upon which Parker turned to the boatswain's mate and said in a pettish tone, "Do you do it, for he seems to know nothing about it." The provost then attempted to put the cap on the prisoner, who refused, however, to wear it, until being informed that the observance was indispensable, he submitted, requesting only that it might not be pulled over his eyes until he desired this to be done. He then turned round for the first time, directing a steady glance towards his shipmates on the forecastle, nodded his head towards them with an affectionate kind of smile and said—"Good bye to you." He now demanded of Captain Moss—"Is the gun primed and the match lighted?"

"All is ready," was the reply. Parker advanced a few steps, and asked, "Will any gentleman be so kind as to lend me a white handkerchief for the signal?" After a short pause a gentleman present complied with this request; to whom, bowing, he returned his thanks. He then ascended the platform and repeated the same questions about the gun, as if with the design of gaining time. Then the cap being drawn over

his face, he walked firmly and by degrees up the platform to the extremity of the scaffold, and dropped the handkerchief, at the same time thrusting his hands with great rapidity into his coat pockets. On the instant the death-dealing light of the bow gun flashed forth on the beholding fleet, and before its rapidly circling jet of smoke had reached the surface of the water, the yard-rope, manned by the Sandwich's crew, swung off the prisoner from his last footing in this world and ran him up, though not with any considerable velocity, to the yard-arm. When suspended about midway, the prisoner's body seemed to be extremely convulsed for a few seconds, at the expiration of which no signs of life remained.

The whole conduct of this awful ceremony was decorous and impressive; not a word and scarcely a whisper was heard among the crew. Parker suffered exactly at half-past nine A.M., and was lowered down after hanging at the yard-arm for a full hour, when the yellow flag was struck. The body was forthwith put into a shell with the clothes on, and conveyed in a boat, belonging to the Sandwich, to the east point of the garrison at Sheerness, and from thence carried to the New Naval Burying Ground*. Here the coffin lid was removed for a few minutes to gratify the curiosity of the assembled people. The countenance of the dead was scarcely altered in its expression, but the eyes were wide open. Parker was

* Parker's body was some time afterwards disinterred at the request of his friends, and conveyed to London, where it was again committed to the earth. The discussion to which this circumstance gave rise created a lively interest in the public mind.

interred exactly at noon: he was thirty years of age, of a robust form, dark complexion, and black eyes; his figure was five feet eight inches in its height, and both in feature and mould of person the leader of the Nore-Mútiny was entitled to the term of manly comeliness.

On his trial Parker behaved himself with admirable coolness and presence of mind. Had his whole conduct throughout the Mutiny been guided with equal consistency, determination, and courage, there can be no doubt he would have lived to enjoy as a benefactor the gratifying plaudits of that fleet which assisted instead at his death as a convict.

To Parker's mere animal share of personal daring all must concede this praise,—for his mental qualifications all must feel an equal degree of contempt: of a fixed and ruling principle he seems to have been capable of forming no idea: the acknowledgment of the justice of his sentence placed him in this dilemma—either he had ventured to lead a most momentous mutiny without any just ground for its outbreak, or his dying retractation was the despicable and whining folly of a vacillating mind. Insanity only can reconcile his incoherent conduct; and, according to all the evidence we possess, this was the real complaint which the minister cured by hanging him.

CHAPTER XII.

GOVERNMENT having determined to bring to trial the leaders of the Mutiny in every vessel throughout the fleet, and upon conviction to visit them with extreme punishment, much work yet remained for the convenient exertions of the court-martial system.

Of a strange type must be that humanity which does not commiserate the sufferers, or can restrain a shudder at the magnitude of the holocaust, offered to a country in expiation of a minister's criminal misgovernment! In all cases where public example is required to warn the weak-minded and to constrain the vicious, a deep responsibility rests upon those who are in power, lest they strain justice until it be warped into revenge, or screen the undeniable faults of statesmen by the sacrifice of uncounted victims. On considering the whole facts evolved by the Mutiny at Spithead and the Nore, who can avoid visiting with the strongest ultimate condemnation that short-sighted indifference to the permanent welfare of the service, to which murderous neglect is to be attributed the frightful sacrifice of human life that accompanied the progress of this revolt, and made a shambles of the fleet at its close? Who can forbear lamenting that goaded but gallant blood poured out, not in defence of the

country, but in paying the penalty consequent on a system of maddening tyranny and undeserved hardship, which had prevailed for so long a time in every department of the service, under the specious titles of discipline and economy? In recording the principal features of the remaining trials, which are necessarily inferior in importance to that of Parker, it will suffice to extract and condense the most interesting portions, so as simply to present a clear view of the state of the several vessels during the continuance of this unhappy and unexampled disobedience in a branch of the service justly considered to be the most loyal and devoted under every disadvantage.

On Thursday, June the 28th, a court-martial assembled to try the following prisoners, belonging to the Leopard:—Alexander Lawson, W. Welch, W. Ross, John Habbigan, Thomas Sterling, James Robertson, George Shave, Dennis Sullivan, Joseph Fearon.

The Court was composed of the following officers:—

Admiral Sir Thomas Pasley, *President.*

Commodore Sir E. Gower.	Captain Stanhope.
Captain Williamson.	Captain Mackham.
Captain Wells.	Captain Ride.
Captain Sir T. Williams.	Captain Watson.
Captain Cobb.	Captain Fancourt.
Captain O'Bryan.	Captain Parr.

Lieutenant Rob, of the Leopard, *Prosecutor.*

The same preliminary proceedings were observed as upon the trial of Parker, with this exception, that a letter was read from Captain Hargood of the Leopard, to Mr. Nepean, with a list of the ten prisoners, above mentioned, selected from the ship's company, as persons who had been most active in

the mutiny on board that ship. Afterwards, the rest of the prisoners having been removed, THOMAS STERLING was first put upon his trial.

Captain Hargood of the Leopard.—On or about the 29th of May, I was informed at noon, that a number of men had assembled on the main deck. I immediately went thither, and saw a crowd moving off the larboard gangway, the prisoner being one of the foremost. I asked them what they all wanted. The prisoner answered, that the ship must go into Yarmouth, as other ships had done, to inquire the reason of the rest of the ships having left the fleet. I attempted to harangue them on the impropriety of their conduct, and told them that I would hoist out a boat and send it to Admiral Duncan, who doubtless would give them a sufficient reason. As my words were of no effect, and other men came forward protesting that the ship must go, and observing the men leaving the gangway and flying to the forecastle, I immediately went on the forecastle, for the purpose of prevailing upon them to return to their duty. Soon after, observing a number of men on the quarterdeck round the wheel, and hearing the fore-sheet let fly, I went aft to renew my endeavours, but without effect. I particularly entreated the prisoner more than once to prevail upon the ship's company to desist. The prisoner, from that time, until he went in a cutter to the Nore, with many others, was always actively employed as a delegate on board. Upon his return from the Nore, I did not see him. When I asked him to use his influence with the ship's company, his answer was, that he, being only one, could do nothing. I desired him to return to his duty.

Morgan Jones, seaman on board the Leopard. —The prisoner has been on board with me a year and a half. Before the mutiny broke out, he was going fore and aft the ship gathering people to swear to join him in taking the ship into Yarmouth Roads, to know why we were left at sea. The men were not against the officers retaining the command, only they wanted to take the ship in. It was after dinner, on the 28th of May. He sounded all the men who were fit for duty. I called him a rascal for asking me such questions. The hands were turned up by the prisoner's orders. He sung out very loudly from under the break of the forecastle, and then several more voices repeated his order in the waist, to turn the hands up above ship; immediately the boatswain's mate turned all hands up. The officers had no idea of the intention to take the ship in, without their permission, until all hands came upon deck. The captain and officers came and asked them in the name of God what they meant by their actions. The ship was hove about to stand in for land. Several men attempted to take the wheel, and wanted to clap the helm down, which they effected with a great deal of trouble, the officers and quartermaster Bowers, who was afterwards punished by Welch's orders, in Yarmouth Roads, resisting their efforts for a long time. The captain finding his endeavours of no avail, retreated to his cabin, where, as I learned, he fainted away. The yard-rope was rove to hang any man who refused to join. About half an hour afterwards, I was taken down by half a dozen and carried into the prisoner's berth, in the larboard bay, to be sworn, in the prisoner's presence. I refused to take the oath, until I was threatened

with hanging. Ross swore me to stick by the ship's company, and not to be put upon. The prisoner insisted upon my wearing a red cockade; upon my objecting, he threatened to hang me up to the fore-yard-arm. I said he might, for I would not put one in my hat. I thought the cockade had the same meaning as hoisting the red flag, which I knew did not belong to the English government. I considered the prisoner to be a volunteer in the business, he was very active in going about from ship to ship, while we lay in Yarmouth Roads.

Thomas Norman, Boatswain's Mate of the Leopard.—On the night before the mutiny broke out, the prisoner came to my hammock, between the hours of twelve and three, and having awakened me, asked me for my bible; I rose and told him it was either in the chest, or in the bag, and with that he went away. A little while after he came and called me again, and told me to turn out. I answered, I was not well. He said I must get up, that he would not keep me long, and I had no occasion to put my clothes on. I followed him to his berth, where, in his presence, Ross administered the oath to me. During the mutiny, the prisoner worked upon the forecastle. He acted as delegate at first, but not when the ship was coming round from Yarmouth to the Nore. One Marshall, captain of the forecastle, took command of the ship, when the officers had been deprived of their authority.

Charles Bowers, Quartermaster of the Leopard.—On the forenoon of the day that the mutiny broke out, the prisoner came to me and the rest of the quartermasters within the tier, and ordered

us to go upon deck into the larboard bay. We asked him the reason. He said no harm was intended, and the sooner we went the better. We were sworn, but I cannot recollect the particular words of the oath, further than that no one should be punished. The meaning of the oath I conceived to be, that when the officers regained the command of the ship, no one should be punished. For they gave me a dozen lashes by Welch's orders, notwithstanding that Captain Hargood came to the gangway and pleaded hard for me. I was punished for taking the helm out of the hands of the other party by the captain's orders; we were twice driven away from it, but I cannot tell whether the prisoner was there either times, or not. By the other party, I mean the mutineers. I was of the king's party.

Thomas Sherrard, Pilot of the Leopard.—The prisoner and George Shave ordered me to bring the ship from Yarmouth to the Nore. I was not threatened, but I obeyed from fear, because a rope was rove to the yard-arm, to hang any person who should dispute their orders. The prisoner and Shave acted together, as chief in command, in bringing the ship from Yarmouth to the Nore.

By the Prisoner.—I cannot say that I ever saw you on the quarterdeck, in going from Yarmouth to the Nore. I cannot really tell whether you gave any orders for setting or shortening sail, or for working the ship; but somebody directed what sail to carry. Shave gave the orders and worked the ship, and was on the quarterdeck all the time.

John Lapthorn, Master-at-arms of the Leopard.—While the ship was in a state of mutiny, the prisoner ordered me into the cock-pit, as master-at-

arms, to put the gentlemen's lights out, to be strict and rigid, and to have no communication with them. Although he did not repeat the order, yet he followed me round every night without speaking a word. When they were making the effigy of Mr. Pitt, he said it was of no service to have an effigy, but to go down and bring up the gaol-keeper, meaning me, for that I should make a good example for the ship's company, and must be hanged. I was sworn to be true to the ship's company, and to keep the command of her until our grievances should be redressed. While I continued to do my duty as master-at-arms, George Shave seemed to command the ship. Before the prisoner went to the Nore, he was picked out as one of the delegates, and was one of the most active in assembling the people. After his return to Yarmouth, he was not permitted to act any longer as delegate, because he had been intoxicated.

Defence.—The prisoner being called upon for his defence, said he had nothing to say to the Court. He resigned himself into their hands. Not twenty words of truth had been spoken that day, and if he died, he died innocent of the charge.

Two witnesses were called, but nothing was elicited from them to shake the evidence for the prosecution. The prisoner declined calling witnesses to character, and the Court postponed immediate deliberation upon the sentence. The prisoner wept during greater part of the trial.

THE TRIAL OF WILLIAM ROSS.

William Ross was immediately brought in and put upon his trial.

George Smith, a Marine.—On the same day that

the ship was taken out of the captain's hands, in the North Seas, at the back of Yarmouth Sands, I was had forward into the larboard bay. When I went there, the prisoner told me he was going to swear me in. I asked him for what? He told me it was to be true and just to the ship's company, until the grievances, for which they stood out, should be redressed; that a great number of the ship's company were not very willing to come forward; but if they did not come forward, they might wish they had; for, as far as he could understand, the yard-rope was to be rove in the morning, if not that night. The prisoner was up all the night before the ship left Admiral Duncan's fleet, but wherefore I cannot tell. I saw him up during the middle watch, and likewise at four o'clock, when I was relieved and went to bed. I did not see him do anything except walk the decks. I cannot tell who was ringleader. I saw no instance of activity in the prisoner, except in swearing men. By the oath which I took, I did not mean anything else, than to be true to my king and country. I do not know who had the command of the ship in particular, sometimes one, and sometimes another. George Shave used to walk the quarterdeck, and Marshall, the sail-maker's mate. I do not know what authority the prisoner had, if any.

Charles Reed, Landsman of the Leopard.—Before the mutiny, the prisoner used to hold private conversations with Sterling and Welsh. On the previous night I was sent for to the larboard bay, where Ross and Welsh were sitting opposite to each other at the same table. The prisoner read over some words about being true to the ship's company and their undertakings till

all grievances were redressed. A book was given me to kiss, but I did not kiss it. When I turned my back upon them, I said—"My lads, take care of yourselves." Some one answered, who I cannot say—"Take care of yourself; we'll look after you." The prisoner could not but hear that answer. When the ship arrived at the Nore, delegates from the Sandwich came on board. The prisoner said to one of them, "My brother, I am happy to see you. I have had a sore night's work of it, partly in taking down the names of the ship's company." He added, if it had not been for him it never would have been done. He wore a red cockade, was a committee man, and always present when papers were brought on board and read. I saw the prisoner go from ship to ship at the Nore, and on the 9th of June he went towards the Sandwich with the rest of the delegates. Immediately after he had left the ship, the officers regained the command.

Charles Bowers, Quartermaster of the Leopard.—The prisoner told me as we were walking the deck, two or three days after the ship had been taken by the delegates, that if it had not been for him, he supposed the men would not have been sworn without opposition; that it was a complete or cleverly managed piece of business, for that they were afraid at first and were obliged to call one man at a time into the bay to swear them. When they had got together about 150 or 160, then they thought they had the strongest party and were not afraid.

Thomas Wood, a Foremastman on board the Leopard.—Between the 5th and 8th of June, while we were at the Nore, I saw the prisoner in company with the boatswain's mate, and the

prisoner said, he thought the best place for rendezvous was in Bantry Bay, on the north-west of Ireland. The answer made to him by the boatswain's mate was—"We'll wood, wine, and water at Madeira, or some of the Western Islands." I immediately rejoined, "Who is to pay for that?" The boatswain's mate said, "he would give a receipt upon Pitt for it." The prisoner is a very close man, and it is difficult to get a word out of him, except when he is with his own party. Marshall, who was esteemed the captain of the ship, sent for me down from the forecastle into the starboard bay. I found the prisoner and four or five others there, with Marshall at the head. Marshal told me that I was to keep watch as an officer on board the ship, and to carry out the same regulations as would have been ordered by the officers, had they been in command of the ship. They selected me for my long standing in the navy, and acquaintance with the regulations of a man-of-war. I pleaded an impediment in my speech, want of learning, and disinclination to carry messages to other ships. My objections were overruled, and I was sworn together with the prisoner, who held the book at the same time with myself. The substance of the oath was, to be true to all delegates in their undertakings, at the hazard of my life. This oath was taken at the Nore; I know nothing of any previous oath. With respect to the red flag, I told the prisoner that the red at the main was not a flag belonging to England, and that I would as soon be under a black flag. He answered, "Say no more about that, sir."

The Defence.—The prisoner said that false evidence had been given; that he was roused out

of his hammock like the rest to be sworn about three-quarter grog in Yarmouth Roads. The people were to be sworn to insist upon having it, one man having been punished for asking for it. He was pitched upon to swear the people, and was appointed a committee-man, a situation which it was impossible for him to refuse. He then called

Thomas Bruin, Boatswain's Mate of the Leopard.—This witness's evidence went to prove that the prisoner had taken no greater share in the mutiny than the rest of the crew, but that in consequence of his being able to read and to write, he was one of the twelve men picked out as a committee-man, and that if he had not acted in unison with others he would have gone to the yard-arm in a minute. He never saw him wear a red cockade, nor go messages from ship to ship. He considered Welch and Sterling to have been th ringleaders of all the mischief in the ship. The prisoner acted by the direction of those two persons, neither of whom could read or write, and used his pen at their dictation. He never heard the prisoner make any objection to the writing of the oath or to the swearing of the people.

Here the evidence for the defence closed. The prisoner was asked whether he had any thing further to offer to the Court on his own behalf.

The prisoner replied, he had nothing more to advance, but he hoped the Court would consider that he was innocently involved in the mutiny, and had no share in taking the vessel from the officers. He was then removed, and the Court proceeded with

THE TRIAL OF GEORGE SHAVE.

Captain Hargood of the Leopard.—Between the 28th of May and the day I went ashore with Admiral Pasley in the Yarmouth Roads, the prisoner was particularly active in exciting a mutiny. Upon its first breaking out, he came to the gangway and said, that the country had been oppressed for these five years; that the war had lasted too long, and now was the time to get righted, and that they must go in to their fellow-creatures, meaning, I suppose, Yarmouth Roads. When the ship's company were attempting to take the h m, he was particularly active in drawing the men upon the quarterdeck. He was a deputy delegate in Yarmouth Roads, one of the men ordered to act in the place of those who had been sent to the Nore. He took a boat with other delegates and went on board the Ra er, without leave of any one, in answer to a signal which had been made by that ship, which nal they said was one of their own. When Vice-Admiral Sir Thomas Pasley harangued the Leopard's crew in Yarmouth Roads, to persuade them to proceed to sea, and to join their Admiral off the Texel, the prisoner was particularly active in persuading the men not to comply with the request. The Vice-admiral was in his uniform; he was sent by order of the Admiralty to represent to the ship's company the necessity for them to put to sea, as an expedition was expected to sail out of the Texel against their Admiral every moment. The prisoner's conduct to the Vice-admiral was very disrespectful. He interrupted him and made ill-founded complaints. When the

Vice-admiral went on board the Agamemnon, while he was addressing the people, a signal was made for the prisoner to come on board, which accordingly he did. Immediately he interrupted the Admiral in his speech, by asserting that the Leopard would not go to sea, and that the whole of the ship's company was in a state of mutiny. I denied this to be the case, both to the Admiral and to the prisoner. I think the Leopard refused to put to sea, in consequence of the influence exercised by the prisoner over the ship's company. I consider he had great weight with them, because he was their mouth-piece; and at any time, if, while I was haranguing the men, he happened to move away, the rest followed his example. I can state a particular instance. When in Yarmouth Roads, I turned the hands up to remonstrate with them upon their conduct in flying out in a body on the poop the night before, the ship's boat having been taken away, without my orders, all of which I considered to be an insult to the officers and to myself. I requested the men to reflect upon what they were doing. The prisoner interrupted me, saying—"We had a great deal of business to do on board the Ranger last night;" and farther, he told me, that at that moment a signal was made to repair on board the Agamemnon, requesting a boat to go and answer the signal. Observing that the ship's company were impatient and murmured, I told them I should never turn them up any more.

Thomas Sherrard, Pilot of the Leopard.—The prisoner was my Captain once in the Leopard from the Yarmouth Roads to the Nore. The prisoner and Sterling ordered me to pilot the ship;

the former giving orders on the quarterdeck. I was induced to obey him from fear of being hung at the yard-arm. The rope was rove on purpose to hang any one who should refuse to obey the delegates, of whom the prisoner was one; but he did not threaten me in particular. The officers had no command during that time. All the way up to the Nore, and at the Nore, the prisoner had a red cockade in his hat.

John Lapthorn, Master-at-arms of the Leopard.—On the evening before the ship left the Nore, I was leaning over the afterpart of the gangway-rail, looking at the waist, when I heard the prisoner and Ross conversing together. The former remarked, that a petition had been sent to the Admiralty Board, which was required to be answered in four hours; that the time was then up; and that, should no answer be returned that night, a signal would be made in the morning for sailing away to some foreign power. Then the prisoner turned and walked aft, so that I did not hear whither they intended to sail. Also, if any man should object to take the ship to her destination, he would be made an example of to the rest of the ship's company. While the ship was in the hands of the mutineers, I received my orders from the prisoner, which were to put the fire-lights out and the officers' lights as usual. I was to do it as strictly, if not more strictly than usual. The prisoner assisted in taking the ship from the officers.

The Defence.—Thomas Pearson, Landsman on board the Leopard.—The witness spoke to the prisoner's not having used authority on board, so far as he knew, to his endeavours to quell disturb-

ances, and to his care of the powder and the king's stores in general. The prisoner was on the quarterdeck when the ship left Yarmouth, and assisted the pilot in ordering such sail to be put on the ship as the necessity of the case required. The prisoner ordered the men in the tops; the boatswain's mates, the duty in the waist. Witness could not tell under whom the mates were acting; but prisoner had no more authority than any other member of the committee.

The Prisoner being asked if he had anything to say for himself, observed, that he had done everything in his power to preserve peace in the ship and to quell disturbances. He denied having given any orders himself, except that to insure the ship's safety he had assisted the pilot, and carried his orders. In respect to his conversation with the captain, he must have been misunderstood, for he spoke only of the oppression endured by the sailors, which he supposed had been remarked, and could be remedied. He added that he was in no respect more active than the rest, but only co-operated with them, finding it in vain to resist the general will. He was elected to fill the office of deputy-delegate, and also that of committee-man, by the ship's company. He took no command upon himself, but merely did what he was obliged to do, for fear of being hanged at the yard-arm.

The prisoner was then ordered from the bar, and the Court proceeded to the trial of *William Welch*. But as the trial of this individual, and also that of *Alexander Lawson*, do not bring forward any new facts of material importance, we shall pass on to the trial of

DENNIS SULLIVAN.

John Lapthorn.—On the day the ship was taken from the Nore, I heard a conversation which took place between the prisoner and Lawson. He said he knew there was something more than common about to take place, by the manner in which the officers were hurrying backwards and forwards upon deck; he thought it would be the best way to acquaint the committee, and to confine the officers until the delegates came on board; also, that a half-watch ought to be set that night, and should anything happen before they came on board, the best way would be to jump down into the magazine, blow up the ship, and go altogether.

Prisoner.—You have sworn my life away, Lapthorn.

Witness.—All hands were called, and they ran up on deck as soon as they heard the pipe.

Morgan Jones.—On the day the ship was taken from the Nore, the prisoner came to me on the main-deck, and said—"I understand you are one of the party who intend cutting the cable to-night, and Thomas Norman, my messmate, the other. I'll have no more compassion on him than on you. I will watch over the cables to-night, and will blow the first man's brains out who attempts to cut them."

Patrick Donovan, a Marine.—The day the ship left the Nore, I saw Robertson, the gunner's mate, on the quarterdeck; he was officer of the watch. Some men, together with the prisoner, came up to tell him about the people who were intending to take the ship away. The prisoner was to assist Robertson in getting the arms and

in planting seven sentries on each gangway, for they suspected the attempt would be made that night. He insisted upon Norman and Keith being hanged if they should cut the cables in the night-time.

Joseph White, Serjeant of Marines.—I heard the prisoner say in the presence of Mr. Groves, a midshipman, that "he would be d—d if he would not blow the first man's brains out who should attempt to cut the cables that night." He endeavoured to excite the people to prevent the ship from going up the river.

Charles Cubitt, a Marine.—I was wounded on the day the ship left the Nore by Dennis Sullivan, the prisoner. I was running on the larboard gangway with all the expedition I could, to assist my comrades in clearing the forecastle. Just before I came to the fluke of the sheet-anchor, I saw a pike come up between the boat and the gangway. I immediately turned round short; as I was bringing my musket down, I knocked it against the boat, and it fell out of my hand. While I was hastily getting my musket up, the prisoner presented the pike right into my body, in the lower part of the belly. Upon regaining possession of my musket, he let fall his pike, and afterwards, under the half-deck, fell down on his knees before me and begged his life. I told him I did not want to hurt him, but desired him to assist in working the ship. He made answer and said he would.

Lieut. Colville.—Except when I saw the prisoner make a thrust at Cubitt with the boarding-pike, I never at any time witnessed the prisoner take any part in the mutiny, and from his general

good conduct, I was astonished to see him armed against his officers.

The Defence.—The Prisoner related how he had been sworn by the mutineers, and declared he had always behaved himself very well in the ship. He then called *Captain Hargood* and *Lieutenant Robb*, as witnesses to his character, both of whom spoke highly in his favour, and in bearing their testimony believed they were expressing the sentiments of every officer in the ship.

The Prisoner, then addressing the Court, said, they were taking his life away wrongfully; and falling upon his knees, beseeched the Court, if he were to be deprived of life, that he might have a long day given him.

On Monday, July 3, the Court met at ten o'clock in the morning, and proceeded to the trial of

JAMES ROBERTSON.

Hugh Robarts, Gunner of the Leopard.—The prisoner left the ship in the Yarmouth Roads, and ordered me to do his duty in his absence. He went away as a delegate, and was absent about four days. I saw him when he came back. From that time, until the ship left the Nore, he kept his watch on the quarterdeck as an officer, not by the authority of the commanding officer of the ship, but of the committee, he being one of its members. He did not appear to be active in any other way, than in keeping his watch on the quarterdeck, where he gave all the necessary orders.

John Adrian, Captain's Clerk of the Leopard.—I was standing on the gangway, about half an hour before the officers regained the ship. I saw the prisoner standing there with Joseph Fearon.

In consequence of a change in the aspect of affairs which they did not like, he or his companion proposed to arm and place seven or eight persons on each gangway.

John Barlow, Ship's Cook of the Leopard.—On the afternoon of the 9th of June, I was in the galley on the larboard side. A party of the ship's company rushed forward to seize the foremast gun. I rose and was going aft, when I heard a cry—"A match, bear a hand with a match." I crossed over to the other side of the galley, and saw the prisoner with a match in his hand.

President. — James Robertson, the evidence against you is closed; what have you to say in your defence?

Prisoner.—When the ship was first seized at the back of Yarmouth Sands, other ships were going into port. Our ship's company murmured, and thought they ought to go in also. The ship's crew consulted among themselves, and agreed to take her in. I was awakened out of my hammock by a man who I thought was a Dutchman. I at first refused to go into the larboard bay, but he came again and said it would be worse for me if I persisted in my refusal. I then went into the bay and was sworn. When I was appointed delegate to go to the Nore, I refused, and the ship's company threatened to hang me at the yard-arm; so I consented, to save my life. I never used any violence, but kept watch, as I was desired.

The prisoner called three seamen to prove that he had been forced into the mutiny by Sterling, and that he had objected to go as a delegate. He then declared many things were laid to his charge of which he was innocent.

TRIAL OF JOSEPH FEARON.

Lieutenant Branun of the Marines. — The prisoner was forward in taking the ship away from Admiral Duncan's fleet, and carrying her into the Yarmouth Roads. I saw him, assisted by several other persons, shove the captain from the wheel, and put the helm up, upon which the captain left him, went to his cabin, and appeared to be very much distressed. I asked the prisoner why they were going in? He answered, that he would neither tell me nor any other officer, but wished the officers of the ship would take charge of her, which I believe was done. After the marines had fired for some time, I went forward on the forecastle to give some orders, where I observed the prisoner, with a half-pike in his hand, looking up through the grating of the gallery. Recalling to mind his desperate character, I immediately fired my pistol, and at the same time some marines fired, and the prisoner was wounded. I cannot say that he was the most conspicuous person in shoving the captain from the wheel.

Morgan Jones.—The red flag was hoisted by the prisoner, when the ship arrived at the Nore. This he did of his own accord, without consulting any person. He went himself to the ward-room, and demanded the flag out of Mr. Branun's cabin, swearing with an oath that he would have it.

Patrick Donovan, Marine.—On the day the ship left the Nore, I heard the prisoner tell Robertson that Norman and Keith were going to take the ship away. The prisoner insisted that they should be confined, swearing "d—n his eyes, as he had begun it he would end it, for he had but one life."

John Adrian, Captain's Clerk.—When Robertson proposed to arm men on each gangway, the prisoner agreed to the suggestion, and said, as he was going down, he was sure of being hung and would do as much mischief as he could. I consider him to be a very desperate and resolute man.

President.—Have you anything to offer to the Court in your defence?

Prisoner.—On the day the ship was seized at sea, I heard the pilot say that she was in danger of running foul of another ship; I ran to the wheel to ensure her safety: I was never at the wheel again.

Captain Hargood, upon being called to speak to character, said he could say nothing for him.

The evidence produced in favour of the prisoner was very vague, and by no means explained his conduct in a satisfactory manner.

TRIAL OF JOHN HABBIGAN.

James Slater, Quartermaster of the Leopard.—I was present in the bay, when the delegates had returned from the Nore. The prisoner came in and sat down. He refused to be either a committee-man or one of the twelve lieutenants who were appointed. This man and I were never friends; his temper and mine did not agree. The day we retook the ship, I looked out for him, and determined to kill him, if I came athwart him. When I met with him, I found he was as active in getting out the boat as any one else. He went into the boat and lent us a hand to get the anchor out, while the ship was aground. I asked him

what he thought of this affair; he thanked God, and said, he was as glad as if any one had given him a thousand pounds that it had happened. He said again, "Thank God, I hope we have got rid of all troubles now."

On questions from the Court and the prosecutor, the witness further deposed, that the reason he searched for the prisoner to kill him was, because he thought that, of all the mutineers, he was his greatest enemy; that before the ship was retaken, the prisoner hoisted a signal on the poop. The witness did not understand the signal, and he was alarmed; but upon inquiry he found that it was only for the jolly boat:

Robert Bligh, Quartermaster.—The prisoner was very busy upon deck in carrying on duty, and ordering boats to be manned to go anywhere. He threatened me for not joining in the mutiny, and gave me very abusive language for getting his name erased out of the committee list.

William Smith, Seaman of the Leopard.—The prisoner at the bar was one of the committee. Once I remonstrated and said, "it was not proper for any man to embezzle the king's stores." The prisoner threatened me with his double fist in my face, and said, I wanted to raise an opposition in the ship. The next time I saw the prisoner was the day on which they cut the cables, about a quarter of an hour before we got under weigh. He came upon the poop and said, there was an opposite party rising in the ship, and that he should therefore make a signal for the boat, and let Marshall, the head delegate, know of it. He hoisted the Spanish jack, which remained flying at the mizen peak; until the cables were cut. Mr.

Buchanan, the midshipman, who was killed, objected, but the prisoner said he would hoist it, which he did.

The prisoner called *Thomas Pike*, who deposed that Norman mentioned his name, and that he was elected delegate by the ship's company. Witness did not hear prisoner object to serving as delegate, nor did he see him forward in accepting that office.

Lieutenant Colville spoke favourably of the prisoner's character previously to the mutiny.

The Prisoner, upon being asked for his defence, said, "On the night the mutiny began, we were lying at the back of Yarmouth Sands. I was called out of my bed and went forward, but could not tell for what purpose. A prayer-book was presented to me. I objected to take the oath, as I did not understand the reason of it. They told me, if I did not take it now, I should be compelled to take it afterwards, and then it would be worse for me. When the delegates were sent to the Nore, they chose me as a deputy, which I could not help. I was far from being against going in from the Nore with the ship, but I did not know at first for what purpose they were going in."

The trials of all the mutineers of the Leopard were now concluded; upon which the Court was cleared, in order that the sentence might be taken into consideration. Upon the re-opening of the Court, the judge-advocate read, in the usual form, the sentence of the Court, which was that the whole of the charges had been proved against ALL the prisoners; that the Court sentenced them to suffer death, by hanging, at such time and place

as the Lords of the Admiralty might direct; but at the same time the Court would recommend Habbigan and Robertson to the mercy of the king.

In consequence of the finding of the Court, a warrant was sent down from the Admiralty for the execution of seven out of the nine prisoners, viz. Dennis Sullivan, Alexander Lawson, William Welch, Joseph Fearon, William Ross, George Shave, and Thomas Sterling, who were hanged at the Nore, on Monday the 10th of July—four on board their own ship, the Leopard, and three on board the Lancaster. James Robertson and John Habbigan were respited, and subsequently pardoned upon certain conditions.

Having thus detailed the circumstances which occurred on board the Leopard in the language of the witnesses, it is unnecessary to wade through the sad host of trials which provided victims for the yardarm, one succeeding another, through more than a space of two months from the time when the mutiny was suppressed; the acts which accompanied the outbreak of the seamen on board one ship being, with little material variation, very similar to the transactions taking place at the same period throughout the fleet; and although we can only gather the nature and measure of the disaffection from a review of these scenes and the actors in them, yet enough has been laid bare not only for all the purposes of history, but also fully to warrant those deductions which have already been drawn from this bloody and revolting page, which must for ever stain the annals of the third George and the second Pitt. For the little that remains to be added, it will be sufficient to confine

the scope of these pages to any new facts connected with the mutiny that may arise during the trials of the mutineers of the Sandwich, the Inflexible, and the Monmouth.

Whether such facts may tend to relieve or to aggravate the painful impressions produced by the details already given, no one at least can be insensible to the very unfavourable light in which the characters, habits, and ignorance of the parties conducting the mutiny are made to appear by the evidence brought against them. Scarcely may one bright gleam of high feeling be found to light up the gloomy picture, in which animal force, passion uncontrolled by reason, and vain-glory tricked in a brief authority, seem to shadow the principal figures. The cause must indeed be urgent, and the grievance pungent, which could stimulate natures so far removed from the refinement of intellect and acute sensation to plot, combine, and defy not only the government, but the accustomed and ordinary habits of their own contracted path of life, and risk that life itself with the most desperate recklessness for the sake of redress. For this redress, dearly as it was sought, we, like themselves, must look in vain. But not in vain, alas! must the mind of the reader be fortified still to witness the work of vengeance unappeased; while they who ought and might have averted the calamity by a timely interference, through the exercise of an enlarged and humane policy, prided themselves upon the energy and firmness of purpose displayed in punishing those poor ignorant wretches whom their indifference had made criminals; rivetting loyalty with chains of terror about the hearts of those simple but brave fellows

whom their combined obstinacy and weakness had alone succeeded in rendering disloyal and rebellious.

On Thursday, July 6, the Court again met, when about twenty prisoners belonging to the Sandwich were placed at the bar to hear read the charges against them; after which the Court proceeded to the

TRIAL OF WILLIAM GREGORY, CHAS. M'CARTY, JOHN WHITTLE, THOMAS APPLEYARD, AND PETER HOLDING.

In this case the evidence for the prosecution went to show that Holding and M'Carty, at the breaking out of the Mutiny, demanded the keys of the magazine from Lieutenant Flatt, threatening to break open the door if they were not delivered up to them. When the Yarmouth vessels came round, Holding proposed to go into Sheerness, silence the guns, and destroy the batteries. After the Repulse had made her escape, a report prevailed, during the absence of Gregory, that he meant to blow up the ship. After this, Gregory asked the people "whether they wished to give up the business or to carry it on; for his part," he said, "he thought it best to carry it on." A great many of the people about him cried out, "Yes! yes!" Gregory at one time boarded an American vessel, and gave the pilot a paper, which he requested him to get printed, along with others, upon one sheet, and to cause copies to be posted on the Royal Exchange, and at other public places in London. Gregory gave him three guineas to pay the expense. The paper was en-

titled "An Address from the Delegates of the Fleet to their Fellow-subjects," and accused the administration of oppressing the navy, and declared that the sailors had no intention of subverting the government of the country, but were determined to persevere in obtaining the redress of their grievances. On the 8th of June, Gregory was on board the Brilliant. He read the Act of Parliament, the King's Pardon, and a letter from Sir Roger Curtis's squadron. When he had concluded reading the Act, he looked round upon the ship's company, and said, "None of your grievances are redressed." With regard to the pardon also, "This can be altered in a few hours, and any of you that may go on shore are liable to be hanged or shot by your tyrannical country." Gregory took possession of the admiral's cabin. While the officers were endeavouring, on the 9th of June, to prevail upon the ship's company to return to their duty, he called out, "Let those who are for the *cause* give three cheers." Immediately a great number cheered, and some armed men rushed forward and took the officers prisoners. Holding and Whittle were among the number of armed men. While Captain Wood, of the Hound, was reading the King's Proclamation to his crew, Appleyard took it from him, and said it was a piece of flummery. He called the ship's company rascals for allowing their captain to lead them by the nose, and threatened that the Sandwich should sink them.

For the Defence.—M'Carty, who had retained Mr. Alley, a barrister, as his counsel, begged the Court to permit that gentleman to read from a paper his written defence. It contained a commentary

upon parts of the evidence; insisted also upon the compulsion used by Parker and others, and concluded by imploring the mercy of the Court. Gregory asserted his moderation under the circumstances, and also, that the men who had been selected for trial were the most worthy among the seamen, and had saved the fleet from destruction. Appleyard, Holding and Whittle made no defence.

Witnesses called by Gregory proved that having read the King's pardon on board the Brilliant, he told the men they had now a fair opportunity, if they pleased to embrace it, of returning to their duty. But he also said—"Whoever accepts the pardon will be sent on shore, and may return to their tyrannical officers." For M'Carty, it was proved that one day when he came on board the Brilliant from the Pylades, he was taken into the waist; then a rope noosed and well greased was put about his neck; and that about fifty men on the forecastle, who had hold of the other end of the rope, hauled him up a little distance from the deck. He was rescued by a party in the waist, who rushed forward and cut the rope. The reason assigned for this transaction was, that after Admiral Buckner came on board the fleet, M'Carty had been desirous of accepting his Majesty's pardon, and opposed Parker in the committee.

TRIAL OF GEORGE TAYLOR, JOSEPH HUGHES, THOMAS BRADY, GEORGE GAINER, AND JOHN DAVIS.

All the prisoners attended the committee. From the 29th of May to the end of the Mutiny, Davis had the command of the Sandwich. He ordered

the fore-top sail to be loosed, and the starboard forecastle gun to be fired; this signal was made for the ships to put to sea. He signed passports, and styled himself captain of the Sandwich. Both he and Gainer d——d the King's pardon, and said they wanted no pardon, but a redress of grievances. Several acts of violence and threats were brought home to each of the prisoners.

For the Defence.—Davis said he was ordered to take charge of the ship; with which he complied, under the expectation that he might be of use in preserving her. He had done all in his power to keep order on board; which was a matter of no small difficulty at such a time, and in a ship containing nearly a thousand men. The other prisoners urged compulsion and denied parts of the evidence.

Captain Blackwood, called by Davis, deposed that the prisoner was in the Trusty between 1785 and 1788; he behaved himself with great propriety and was much respected. The witness was of opinion the release of the Lieutenant of the Niger, from punishment, was effected by Davis's representations to the delegates of the impropriety of their conduct. On the day the delegates returned from Portsmouth, the witness recommended the prisoner to moderate the minds of the people as much as possible. He said this was his intention, and he wished the business were settled. At this time Patmore and several other delegates passed. Patmore called out to the prisoner, "Come along; this is not a time to be palavering with officers." The prisoner then said, "You see, sir, how matters stand; I am not my own master. If I were, it should not be thus." The other prisoners

called witnesses to prove compulsion, and their disinclination to take an active part in the Mutiny.

TRIAL OF JAMES HOCKLESS, QUARTER-MASTER; JOHN SCOTT, GUNNER'S MATE; CHARLES CHANT, SEAMAN; WILLIAM THOMAS JONES, SEAMAN; AND HENRY WOLFE, BOATSWAIN'S MATE; ALL OF THE SANDWICH.

Hockless, Scott and Jones were members of the committee. Hockless piloted the Swan from the Great Nore to the entrance of the Thames, and anchored her there. On the 8th of June he boarded the Ranger in company with a number of other men. The Ranger was lying at the Great Nore, and they proposed to carry her down the Queen's Channel, because they had heard that the buoys were being taken away. He said he had been sent by the committee to take charge of the Ranger, and prevent the removal of any more buoys or beacons. In the morning he got the ship under weigh, and upon observing that the first buoy was gone, he was in a great rage, and swore bitterly he would send the perpetrators to hell, if he could get hold of any of them. On the 28th of May, when Captain Moss was endeavouring to persuade the men to return to their duty, Chant ordered the boatswain's mate to drive them forward, and was very active in dispersing them himself.

For the Defence, Jones called *Thomas Phips Hewson*, seaman on board the Sandwich. At the commencement of the Mutiny, Jones said, looking at the yard-ropes, "This is a very wrong thing —many innocent men will suffer for this horrid

business." At the same time he asked my opinion of the business. I replied, that "it was laying the axe to the root of the chief pillar of England." The prisoner said "he wished he were dead, rather than have anything to do with it." He then sat down in a thoughtful manner, but said no more at that time.

When M'Carty returned from Portsmouth with an account of the pardon, the prisoner said to me, in a private conversation, that "it was quite contrary to all that is right, not to communicate it to the ship's company." He added, "the committee were a set of rascals, who were against the good of their king and country, and consulted only their own resentments. He wished he had more power in the committee, that he might oppose their proceedings." When the St. Fiorenzo was attempting to escape, and the people were pointing the guns at her, Jones called out, "For shame! are you going to kill your brethren in cold blood?" When the Leopard was getting under weigh, Jones prevented several of the lower-deck guns from being run out, and said, "if he saw any rascal run out a gun, he would knock him down." When the Inflexible sent her boat alongside, threatening to sink the Sandwich if any mark of respect were paid to Admiral Buckner, the prisoner gave it as his opinion that they were about to destroy all the good laws and regulations of the navy.

The other prisoners called witnesses to character, and, as usual, to sustain their justification upon the ground of coercion.

TRIAL OF JAMES LURAN, JAMES JOHNES, AND JAMES BROWN, SEAMEN; THOMAS BROOKES, SERGEANT OF MARINES; AND WILLIAM PORTER, PRIVATE MARINE; ALL OF THE SANDWICH.

On the 4th of June; Luran said, if any one were of his opinion, he would unmoor all his Majesty's ships and the merchant-vessels, and carry them over to France. A seaman replied, that he would sooner see the prisoner's neck at the yard-arm than that the French Convention should taste one-fourth part of a biscuit belonging to the Crown of Great Britain. When Parker was informed of the conversation, he put the prisoner in irons. The marines acted as officers on board.

All the prisoners except Brown put in written defences; they were nearly to the same purport, containing a few remarks upon the evidence, stating that the prisoners had been compelled to act as they had done, and imploring the mercy of the Court. Witnesses were called to speak to character, and to extenuate the charges, by alleging instances of moderation.

Wednesday, July 19.

At one o'clock the Court assembled. Gregory, Appleyard, Taylor, Chant, Gainer, Holding, Luran, Brookes, Hockless, Whittle, Hughes, Brady, Davis, M'Carty, Wolfe, Porter, and James Johnes *were condemned to suffer death.*

But as upon a minute examination of the evidence some favourable circumstances appeared in the conduct of Whittle, Brady, Taylor, and Porter, their cases were left by the court for his Majesty's merciful consideration.

As the charge was not fully proved against George Scott, the Court sentenced him to be

punished with one hundred lashes. With regard to William Thomas Jones, although a great degree of criminality attached to him, yet, upon a consideration of some parts of his conduct, the Court only adjudged him to be reprimanded; and Thomas Brown was acquitted.

As to the case of Thomas M'Cann, although the Court sentenced him to death, yet they considered it to be their duty to represent to his Majesty, that the prisoner was sent on board the Spanker early in the Mutiny, and did make application for his Majesty's pardon between the 1st and 7th of June.

On Tuesday, August 1, William Gregory, James Hockless, Charles M'Carthy, and Peter Holding were executed on board the Sandwich at Blackstakes; and Thomas Appleyard, on board the Firm brig, in Gillingham Reach.

Friday, July 28.

Rich. Brown, carpenter's mate; John Doughty, sailmaker; William Frith, ship's corporal; Matthew Williams, captain of the maintop; William Vance, quarter-master; John Dun, sergeant of marines; all belonging to the Monmouth; were tried upon charges similar to those preferred against the mutineers of the Sandwich and Leopard.

A very circumstantial detail was given of the conduct of the prisoners, in seizing the ship at the back of Yarmouth Sands, and of the punishment they had inflicted upon the officers, together with ill-treatment on various occasions. In the whole of these transactions Vance acted as captain of the ship. The evidence, however, did not present any facts with which the reader is not already acquainted.

Vance made the following characteristic defence:

"My Lord Northesk, hearken to this—Gentlemen, I fairly see your intention on me. As for the evidence, it is known to myself that they have spoken more than the truth. The name of captain in a state of mutiny is terrible to the eyes of the ignorant, but not in the eye of God, nor of the worthy true believer.

"It is very true I was one among the thousands that broke the law which was established in the land we were born in: so, therefore, worthy commanders, I hope you will hold your hands. Take it into consideration, that the most innocent men are upon trial, and the most guilty lying in safety, which may be found out. I have no more to say, but I give myself up to God Almighty, to this honourable Court, and to his most gracious Majesty George the Third." He afterwards said, he had been nineteen years at sea, but only seven months in the navy, and therefore had no witnesses to call to character. He thought his wife and children ought to be provided for.

Twelve more mutineers of the Monmouth were also tried. Of the whole eighteen, the six above mentioned, together with five others, were sentenced to death; but two were recommended to mercy: four were ordered to be severely flogged, two to be reprimanded, and one was acquitted.

On Monday the 14th of August, Vance, Frith, Brown, and Earles were executed on board the Monmouth. The warrant for execution, which contained eleven names, having been read, the four prisoners followed the chaplain to the forecastle of the ship, where he read a prayer composed for the occasion; after which they sang the 104th Psalm.

At their request, a glass of wine was handed to each man. Brown, the delegate, immediately turned round to Lord Northesk, and addressed him in a few words, beseeching his forgiveness, and acknowledging the justice of his sentence. His lordship answered, that he forgave him from the bottom of his heart. He then harangued the ship's crew in a very impressive manner. He "desired them to take warning by his fate; that he was going to suffer for having violated the laws of his country, and said he feared that there were still among them many very bad and designing men. He conjured the crew to beware of them, if they had any regard for their own character, or love for their wives and families."

Frith endeavoured to follow his example; but his voice faltered, and he failed in giving utterance to his sentiments.

About nine o'clock the fatal gun was fired, and they were drawn up to the yard-arm.

The trials still went on, with the mutineers of the Inflexible and Standard. Thirteen altogether received sentence of death. One of the condemned men behaved in the most excited manner during his trial; and when the awful sentence was pronounced upon him, he fell upon his knees, and prayed God "that his blood might fall on the heads of his persecutors, and the witnesses that had appeared against him; and that the cries of his wife and children might ever be ringing in their ears."

On Friday, the 25th of August, the court-martial was brought to a conclusion. Vice-Admiral Sir T. Pasley struck his flag, and the Neptune sailed to join the Channel Fleet.

CHAPTER XIII.

In the former pages of this work, the origin of the Mutiny is suggested to be of no very difficult discovery. Impressment, brutal discipline, low wages, and impure food were aggravated in their horrors by the Government filling the fleet with the refuse of the jails, and denying to the imprisoned seamen the slightest opportunity of revisiting those homes from which many of them had been torn under circumstances of the most heart-rending violence: while their arbitrary tyrants compelled them to shed their blood with the utmost profusion for the acquisition of enormous treasures, they doled out to them in return the meanest possible pittance of prize-money, and deprived them of the slightest reasonable mode of outlaying their gains, except in the arms of the most abandoned of their species, amidst scenes and enjoyments utterly bestial, debasing, and pernicious. When all the inevitable evils had resulted from the long-continued neglect which led to the Mutiny at Spithead, a tacit admission of past ills was wrung from the Government, under the appearance of a tardy effort to render slight justice for the future; and the following Orders of Admiralty were issued in May 1797.

Order of the Lords of the Admiralty to Lord Bridport and the Commanders of his Majesty's Fleet.

WHEREAS, from the disposition lately shown by the seamen belonging to several of his Majesty's ships, it is become highly necessary that the strictest attention should be paid by all officers in his Majesty's naval service, not only to their own conduct, but to the conduct of those who may be under their orders; the more effectually to insure a proper subordination and discipline, and to prevent, as far as may be, all discontent among the seamen, your lordship is hereby directed to be particularly careful to enforce, so far as the same may depend on you, and to give orders to the officers employed under your command to enforce, all the regulations for the preservation of discipline and good order in his Majesty's navy, which are at present established for that purpose. And you are more especially to give the following directions, namely:

That the flag-officers of the squadron under your command do frequently muster the crews of the ships belonging to their respective divisions; that the captains and commanders of the ships and vessels of your squadron never be absent themselves, nor allow any officers under their orders to be absent from on board their respective ships for twenty-four hours at one time, without our permission, or leave obtained from yourself for that purpose.

That all flag-officers, captains, and other officers do wear their respective uniforms, not only whilst on board the ships to which they belong, but also when they are on shore in or near any seaport town.

That the captains and commanders of his Majesty's ships and vessels do cause the Articles of War to be read on board their respective ships to the companies thereof at least once in every month, agreeably to their instructions; that they also see that the arms and ammunition belonging to the marines be constantly kept in good order, and fit for immediate service, as well in harbour as at sea; and that they are in future to be very careful to rate their ships' companies according to the merits of the men, in order that those who may not be deserving thereof may not receive the pay of able or ordinary seamen.

That particular attention be paid to the regulations relating to the cutting up of fresh beef; that choice pieces be never purposely selected for the officers from that which is cut up for the ship's company; and that choice pieces of salt meat be never taken for the officers out of the tub or vessel from which it may be served to the ship's company.

That officers do not select casks of the best wine or spirits for their own use from those intended for the ship's company, nor exchange any wine or spirits of their own for that which has been sent on board for the use of the ship.

That the captains and commanders of his Majesty's ships do strictly enjoin the surgeons belonging to their respective ships, not to take out of the ship any part of the medicines or necessaries intended for the use of the sick, but strictly to apply them to the purposes for which they were sent on board.

That the captains and commanders of his Majesty's ships be particularly attentive to the con-

duct of the men under their command, and that they be ready on the first appearance of mutiny to use the most vigorous means to suppress it, and bring the ringleaders to punishment.

Given, &c., 1st of May, 1797.

If the temperate and necessary policy so wisely begun in May by Earl Spencer, at the head of the Admiralty, in obedience to the force of circumstances, had been carried out by the chief minister consenting to Mr. Sheridan's committee of inquiry, and thus leaving an impartial field to a strict and searching investigation into the remaining causes of disgust so vehemently denounced by the seamen, the country would have been saved from that season of terror, excitement, and anxiety, through which she subsequently passed, and humanity have been spared those vindictive judicial slaughterings of a number of brave but hapless seamen, whom the criminal neglect of their rulers had first driven into mutiny, and then butchered to drown reproach; and this at the time when we had plunged most wantonly into a war that demanded the union of all hearts and hands, not only to preserve our empire of the seas from usurpation, but even to keep our shores inviolate.

Surely the volume of history contains no chapter more impressive of the evils resulting from a corrupt and oligarchical form of government, than this of the eventful mutinies of 1797. A vast empire, like that of Great Britain, can only be upheld by wisdom and justice. The seeds of decay are often overlooked until they germinate into ruin. It would be well, even in this present day, if the people of England would inquire whe-

ther, in addition to all the causes of complaint already discussed, the origin of much future evil may not now be detected in the unequal rewards of merit, the influence of aristocratic nepotism, the sickening delays of promotion, upon the one hand; and on the other, the seduction of our best seamen in times of peace into the service of a great but suspicious and jealous ally, through the allurements of those superior advantages which a parsimonious and ill-judged economy withholds from our service, where they ought most to abound.

Although we have confined our remarks strictly to the Mutiny at Spithead and the Nore, we should observe, that the spirit of disaffection had extended itself generally throughout the navy: disturbances of a serious character took place and were suppressed on board the Sovereign, Saturn, Pompée, Marlborough, and other ships; while courts-martial were held, and seamen were tried, convicted, and executed at Spithead and Plymouth, at the same time that the trials were proceeding at the Nore. Were there no other evidence to the same effect, this alone would prove that the grievances in the navy had grown into a most undeniable and unbearable evil. If we bear in mind the fact that most of those ills which the delegates at the Nore sought to remedy are still in existence, over and above the wrongs redressed at Spithead; if we remember that on the subjects of impressment, flogging without trial, the inequality of courts-martial, the cruel character of the naval code, and the unfair distribution of prize-money, the seamen of the British navy are still as much at the mercy of their superiors as ever, no reasonable person can doubt the necessity that yet exists

for extensive inquiry into the administration of the English sea-service, and such a temperate and liberal improvement of its impaired institutions as will guard against any possibility of a future outbreak, when the urgency of war may render such a commotion equally dangerous to the empire and difficult of suppression.

To avoid the reproach that these pages have dwelt harshly upon the misgovernment of a service without suggesting any mode of remedying imputed defects, a note will be found at the end of this volume giving an outline of some of those ameliorations which are equally demanded in our navy by fair justice towards the officers and men, and sound wisdom in the country at large.

In taking a final leave of the memorable Mutiny we have essayed to chronicle, one bright touch of light happily remains to cast its setting glory over the dark picture already drawn.

On the 11th of October, 1797, H.M.S. Venerable, bearing the flag of the brave and veteran Duncan, led into one of the fiercest actions on record, the lately mutinous fleet of the North Sea.

Forgetting all the bitterness their country's obstinate and selfish injustice had fermented in their bosoms, the seamen nobly redeemed their past assertions of unstained patriotism. The spirit of Old England flashed forth terrifically bright as ever from the thunder-cloud of victory, and CAMPERDOWN was added as another gem to the sea-crown of BRITAIN.

CONCLUSION.

GENERAL NOTE

ON

THE REFORM OF THE NAVY.

THE empire of Great Britain is wholly insular and colonial. It may therefore be asserted, without much hesitation, that her safety and grandeur depend almost solely upon maritime power and commercial prosperity. To this it follows as an inevitable corollary, that the fleets and navy of Great Britain should be the first care of an enlightened statesman. To a nation so situated, her frontiers are in truth no less than the whole extent of the habitable globe. Wherever the waters roll, her forces must be at hand to maintain her ascendancy. This necessity renders indispensable a vast amount of fleets, and their consequent constituents—enormous bodies of military seamen. The first care then of Great Britain should be to possess, at all times, an almost exhaustless depôt from which to recruit her maritime forces. The question next arises, how a tax upon her people, at once so heavy and inevitable, can be levied in the most *certain*, the most *abundant*, the most *just*, the most *liberal*, and the *least obnoxious* manner? Such a tax being necessary to the existence of the state, the first object to attain is *certainty* in raising it; it should be co-existent with all periods of the nation, which can be upheld by that alone. Such a tax should be *abundant* and extend over immense classes, because the demand being excessive, and the services required most extensive and severe, it is only by distributing these duties over a large mass that the legislature can hope to make the severity of its infliction less felt. This tax should be *just*, because it is to raise an indispensable and national defence, of which every human being in the empire feels the benefit, to which all, therefore, should contribute, and

which moreover imposes such severe penalties of death and loss of limb, that nothing but a sense of equal justice and necessity can render it bearable, if not acceptable to the feelings of mankind. That such a tax should be managed in a *liberal* manner, is obvious. It is raised to ensure the prosperity of the richest empire in the universe; her wealth, in truth, depending solely upon the supplies thus obtained. It is against every notion of equity, therefore, to say nothing of being contrary to the first principles of the religion of the land, to "muzzle the ox that treadeth out the corn," or, in other words, to treat with avarice, meanness or cruelty, the hardy warriors by whose blood and services the mass of the nation at home are protected in the enjoyment of enormous riches, luxuries, and repose. Finally, this tax should be levied in a manner *least obnoxious* to all, in order to render the sea-service popular, and desired by the community on shore, and a matter of pride and delight to its gallant members afloat.

These premises few will be able, however great their desire, to controvert; let us then for an instant inquire how far the pressgang answers to the requisites we have just laid down as indispensable, in any mode to be adopted by Great Britain for manning her navy. Is the pressgang *certain*, *abundant*, *just*, *liberal*, or *least obnoxious*? That it is neither *certain* nor *abundant*, has been proved too often to the annoyance of captains and the confusion of ministers; whilst ships have had to wait whole weeks and months before they could leave their harbours, owing to the incompleteness of their crews, and from the same cause have often been obliged to put to sea so insufficiently manned as to be additionally endangered by meeting with the enemy, or encountering any violent weather. In addition, the very nature of the pressgang, which depends solely upon fraud and violence, making it shunned by all who can escape its power, renders it obviously most uncertain and much stinted in its operations; while in peace it is so vile an outrage of the feelings of humanity, that no minister has dared, at least in modern times, to have recourse to it. Thus it is no uncommon thing in our ports to see a powerful man-of-war, either from the unpopularity of her captain, or some other cause, waiting even months to complete her crew; in the mean while the country being burdened with the pay of all her officers and men who are on board, for no service returned, since the whole establishment is useless until complete. As to the pressgang being *just!!* these pages shall not be sullied, and the rights of humanity outraged,

by even considering such a proposition in relation to so anomalous a blot on the constitution,—the power that is authorised to tear the humble and the unprotected from all the ties, rights, and endearments of life, to make him a perfect slave to serve and protect the pampered, the powerful, and the rich, and this, in a host of cases, with the penalty of his life, and the utter misery and destitution of his family.—No. It is injustice in its vilest form. Neither, for the same reason, can we for an instant ask whether the pressgang can ever be rendered liberal or unobnoxious. In opposition, then, to the requisites above given, this mode of manning the British Navy must be admitted as most precarious and insufficient, as fearfully unjust and illiberal, and beyond all question the most obnoxious that the heart of a demon could devise, or the hand of a coward execute. What then is it proposed to substitute in its place? A mode of levying recruits for the service of the empire, which has been long known and used with satisfaction and success, though in a slightly different manner, in drawing those resources for England's armies which enabled her ultimately to appear no inglorious foe before the troops of the most gigantic military power and the greatest military conqueror that modern history mentions. It is proposed to take a hint from the mode in which the militia is raised; to pass a law rendering every male subject above the age of 18 liable to perform three years' service in the navy every nine years; but leaving every person so drawn to serve at sea entitled to claim his discharge at the end of such three years, and be landed in England; or if he choose to continue in the service, to have the power of so doing, if in good health, at a yearly service—the end of every year renewing his claim to his discharge as an indisputable matter of right should he see fit to exercise it.

It is further proposed by such law, to enact that no person drawn to serve in the navy shall be compelled to render such service in person, provided he shall prefer to pay to the government a yearly fine of one or more pounds for each of the three successive years during which his service has become due to the state; the minister being empowered with such funds to find voluntary substitutes for such service. Such a law, it is computed, would raise annually nearly two millions of money, and five hundred thousand men, and thus enable government to increase the pay of both officers and seamen to such an extent as would make the service, not what it now is, high-sounding beggary to the former, and a mere existence to the latter, but a comfortable and well-remunerated

vocation to which the people would look with eagerness as a means of providing an honourable and happy subsistence, instead of regarding it with averted eyes as a life of unvaried hardship, ill-treatment, cruelty, and horror, until it has actually become a bye-word in the mouths of the vulgar, and a threat to the disobedient and unruly, constantly so mentioned among the lower orders, and admirably illustrated by the higher, when the government empty their jails into the boasted "wooden walls of Old England." It is not pretended here to lay down any proposition so perfect that it might pass into a law without alteration ; and therefore many of the minor points, especially those relating to the exact sum of money to be paid to government for substitutes, are open to re-consideration ; but it is submitted, that if the above plan, modified as might be found necessary, were adopted, and with it were combined a well-concerted system of rewards of merit ; if men after serving a certain period, and gaining stipulated testimonials, were entitled to promotion to the quarter-deck, and thence by high services, great attainments, and severe examinations, were further entitled to promotion through the various ranks of the navy, such a system would in a short time not only produce a depôt for naval recruits far more abundant than any exigency of the state could require, but furnish the quarter-deck with some of the highest and most matured intellects that could possibly be required by or devoted to the service of the sea. At present the unjust, disheartening, and enervating corruption which appropriates promotion almost exclusively to the sons and relatives of the nobility, is rapidly growing into a source of gangrene, which, if allowed to proceed in its rank exuberance, will speedily produce great mischief. It is not for a moment contended that rank and property are to be excluded from the navy, or to fail, in that field alone, in producing their natural influence ; on the contrary, a certain infusion of aristocratic blood gives tone, elegance, and chivalry to a service naturally rough, from its utter seclusion from female society. Such an infusion is desirable ; but where boys are invariably promoted from connexion with nobility, without ever having seen the slightest service, as fast as they can pass from one grade to another, while grey-headed veterans, who were masters of their profession before these youths were born, are left to poverty and neglect, to break their hearts in despair, or to drown their sorrows of deferred hope in the deadly refuge of intoxication ; where courts-martial are permitted to screen the most atrocious criminals, if their infamous names are cloaked

by an earldom or a barony;—such practice engenders disgust and want of confidence at which genius and ability take alarm, and quit the ranks of war for the more certain rewards of civil employments; while those who are left behind become lost to all emulation, ambition, and those higher impulses of the mind necessary to distinction, and render a most inferior service devoid alike of zeal or utility.

Next to the evils here pointed out, therefore, follows an abuse so flagrant in its nature that, but for its daily appearance, few men would be found sufficiently credulous to believe its existence—the frightful injustice of the court-martial system. So much space has been devoted to the consideration of this tyrannical absurdity within the body of the foregoing work, that it is only necessary here to suggest the remedy proposed; which is, the appointment at home and abroad by the Crown, of regularly-qualified judges of court-martial law, holding their offices under the same tenure as the judges of the land, and equally able with those learned and distinguished functionaries to conduct the trial of offenders according to the strictest laws of evidence as practised on shore. It is then proposed wholly to revise the penal statutes known under the title of the "Articles of War," framed a century ago; to assimilate them in spirit and substance to the improvements of the age in which we live, and to authorise the holding of courts-martial in the following form, instead of a tribunal of not less than nine superior officers, with whom many of the prisoners to be tried can have no sympathy: namely, a jury to be formed from the same rank in the service as the prisoner under trial, and the whole proceedings to be then conducted by a judge with the same forms of justice and strict impartiality which the meanest criminal is entitled to claim at the hands of the law of England. The expense of such a regulation compared with its utility, and indeed with its absolute necessity, as far as reason is concerned, would prove most trifling. Three such judges would prove amply sufficient for the duties at home, and one, or at the utmost two, would be able to meet the public emergencies on each of our large stations abroad, such as the Mediterranean, East and West Indies, America, &c. In order to protect these officers from that inevitable prejudice which is inseparable from men of rank in the same profession with the offender, as well as to insure their possession of the requisite knowledge, it would of course be required that these judges should be civilians, whose previous habits of life and high character would form the best guarantee

to the country, that neither oppression nor tyranny should reign unchecked in those distant possessions, where the public press is overawed or corrupted, and the voice of opinion stifled. Let there be granted to the British navy the few points here urged, of voluntary entry, reasonable right of retirement, liberal pay and allowances, humane treatment, and an undoubted path to promotion for persevering merit, together with the certainty of obtaining justice if wronged, and not only may Englishmen confidently repose on the certainty that no future mutiny in their fleets will ever again threaten their liberties with annihilation, but that redoubled vigour will be found to pervade every branch of our sea-service, and that to their increasing and distressed millions an additional refuge will be added where industry and good conduct may secure at least a comfortable and happy subsistence, if not a distinguished and honourable elevation.

There are yet, however, one or two points on which it is our duty to touch before we conclude.

The evils indicated as necessary for reformation in the naval administration of this country have been hitherto those principally relating to the seamen; but where the root of the tree is so decayed, the highest branches cannot escape disease. After what has already transpired, it is not too much to contend that no authority under the English constitution ought, upon the mere capricious pretence of asserted misconduct, to possess the power of dismissing and ruining those gallant officers whose past lives and most devoted services have been so freely rendered to their country, without first granting to the alleged offenders the fullest and fairest inquiry that an open trial can afford. Much iniquity has also been perpetrated in the British navy, as well as the military service, by allowing the executive authorities to decide whether the applicant for a court-martial shall have that privilege granted to him or not. It is obvious, at a single glance, that the utmost favouritism and partiality must necessarily be engendered by the possession of such power. Should an officer of high rank or influential connexions misconduct himself in the grossest manner towards a brother officer unpossessed of these extrinsic claims to protection, and the latter officer venture to exercise his right, and indeed his duty, in calling for a court-martial, to inquire into his superior's arbitrary, illegal, or disgraceful conduct, the titled ruffian, or the political partisan, has only to exert his secret influence with the authorities at Whitehall, and the oppressed and unprotected junior is informed by those in power that "they do not consider

that any court-martial or court of inquiry *can*, under these circumstances, be granted *consistently with the good of the service.*" That iniquities of the grossest description may and have taken place under colour of this farcical and abused authority, no person who has lived in either the present or former times can doubt. It is, therefore, suggested that the proposed court-martial judges, whose independence and character would put them as much above solicitation as are the judges in Westminster Hall, should be empowered, on affidavit of any officer or seaman applying for a court-martial, to decide how far such application might be just and proper, and to order or refuse it accordingly.

In the foregoing pages, which treat of the trial of Parker, the assertion was broadly made, that officers of the navy were too fully at the mercy of the government to render at all safe the entrusting to their hands the life or death of an obnoxious prisoner. Harsh as this assertion might have appeared to minds unaccustomed to the stern sifting of truth, what will be said of a secretary of the Admiralty, at no very far-gone period; writing constantly to a member of a court-martial, involving the character of officers of very high rank, and communicating at the same time with the judge-advocate of the same court-martial, while the court was still sitting; and this under *secret and confidential covers!* Considering that members of such a tribunal are sworn to secrecy on all that passes among themselves, by an oath which nothing short of an act of parliament can dissolve; and that formerly it was considered necessary that the members should not even sleep out of the ship where the court was held, to guard against their being tampered with; it must be admitted that this direct and underhand communication with the government requires no comment, while the remembrance of the lion's mouth at Venice and its secret system, its oath-bound councils, and oligarchical institutions, survive in history!

To those who still retain the least doubt that the court-martial laws should be revised and placed under the superintendence and direction of able and impartial judges, we recommend a perusal of the trials of Captain Harris at Plymouth, and also the trial of Lord Gambier, with the remarks published thereon by the gallant Lord Cochrane, now Earl of Dundonald; and as a further proof, if any were necessary, how little chance the great mass of junior officers now possess of standing up against the abused powers of government, we conclude these remarks by appending the case of an officer of the highest rank and fortune

in the British navy—Admiral Sir Edward Codrington, K.G.C.B. If the shield of his position was unable to protect him from the oppressive power that aimed at his destruction, what must be the fate of the humble multitude of deserving but inferior officers who may have to complain of a superior? That Sir Edward has finally triumphed over his enemies is attributable to his obtaining a seat in parliament, and there insisting on an investigation with the same ability and courage that distinguished him in the victories of Trafalgar, Navarino, and Patras; the last, for its daring gallantry, inferior to none recorded in British naval annals, and in which Admiral Codrington, in the Asia line-of-battle ship, with only the Dartmouth 32-gun frigate, the Talbot, a flush 28-gun carronade corvette, and the Zebra 10-gun brig, to support him, sent the Hon. Captain Spencer in the third vessel to the Turkish admiral commanding a force more than three times superior in guns and numbers, to say that if the Turks did not return to the port from which, in breach of truce, they had escaped, the English admiral would "sink them if he were able;" yet this exploit was as carefully kept out of the Gazette as if personal enmity had been the sole standard of conduct at the Board of Admiralty. Certainly their subsequent proceedings towards the Mediterranean fleet were in excellent keeping.

In 1827, Sir Edward Codrington was the commander-in-chief of the allied fleet in the Mediterranean. He was ordered by the government at home to act by the instructions of the ambassador at Constantinople. The latter wrote him instructions which contained these words:—"If all other arguments fail, use force—I mean cannon-shot." These instructions were faithfully followed, and the battle of Navarino ensued. The ministry in power (that of Lord Goderich), when news of this engagement reached England, showered rewards on Sir Edward and his fleet. The Grand Cross of the Bath was given to the admiral; the decoration of a Companion, to all the captains. Suddenly the Duke of Wellington came into office—the victory of Navarino was branded; the admiral was recalled from his command before its term had expired, under circumstances that not only he, but all the world, considered a disgrace; while for eight y the poor seamen were even *denied recompense for the clothes and bedding destroyed by the enemy's shot*, in executing those orders of their country, which seamen would every one of them have been hung at the yard-arm had dared for a moment to question or disobey. A subsequent

grant of 60,000*l.* from parliament for the victory of Navarino has since been recorded as the noblest verdict of his country that Sir Edward Codrington did but execute his duty. Under what false cloak then can the former Admiralty excuse their injustice to himself and his officers? If they should dare for an instant to insinuate, as a matter of opinion, that they considered Sir Edward's conduct improper, the answer is overwhelming—why did they not bring him to a court-martial? clearly from a conviction that the battle was necessary, and the justice of an inquiry and an acquittal they resolved he should not have; while, on the contrary, a trial, which he used every means to avoid, having already overlooked the indiscretion of the offender, was forced upon the admiral, for no purpose that can be divined, except that of setting the feeling of the country against a commander-in-chief who, up to that hour, was regarded as an injured officer by all competent to form an opinion.—Thus originated the memorable trial of Captain Dickenson. Now let the sense of the country be taken. Are officers liable to be treated and overridden by such contemptuous injustice as was dealt out to Lieutenant Milner and Sir Edward Codrington? Are these men sufficiently independent of the Crown to sit in judgment on the life of any man whose execution the minister of the Crown may happen to feel acceptable? If so, then how contemptibly superfluous are those laws which have with so much effort rendered the judges of the land accountable to their God and their country alone!

As we have had occasion to mention with due severity several oppressive cases of misconduct of the Tory government, we will conclude with one of a different complexion, which has recently reached us.

The widow of an officer, most unjustly deprived of his pension by the late government, applied to the present administration for redress. Sir James Graham mentioned the fact to Sir Robert Peel, who immediately wrote—lamenting his inability to alter the past decision, but using the power entrusted to his office, to order the immediate payment of a sum equal to three years of the barred pension. This was a noble act nobly done, and deserves to meet the reward of warm admiration.

THE END.

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